CONTENTS

138 M of St te

CHAPTER 1 —PRELIMINARY

1 The Government of India by their resolution No 4 (
1949 th text of which is reproduced in Appendix A const
xamine and report on the Jagirdari and land tenure systen
lhya Bharat The Committee was formed of two membe
two from Madhya Bharat with Mr C S Venkatachar a
ugh this might lend the impression that it consisted of two
mmittee has found it more convenient to work as a joint bo
it report In some measure the agrarian problems of the
mmon aspects but where certain questions have required sepa
e been dealt with in separate chapters or sections of the re

2 The terms of reference of the Committee as set forth in t
vernment of India referred to above are very wide While
e of the Committee s task has been emphasized the Comm
ited to make its recommendations for measures of reform
olution gives greater prominence to the Jagirdari problems
Committee has been asked to make its recommendations t
soil in direct relationship with the State This necessarily
examination of the Jagirdari system but also of the Zaminda
tes and of the general question of the desirability and possib
of all classes of intermediaries between the ryot on the one
th other The terms of reference also charge the Comm
making recommendations for the reform of land tenures and
the nt system of land revenue administration The Comm
nterpreted the terms of reference in the wide manner indica
lied themselves to the examination not only of the probl
tenc of the Jagirdari system in the two States but also of t
of the existence of the Zamindari system and to other gener
ant rights and the building up of an efficient administrat
t m

Mr V S Sar t a member of the Constituent Assembl
Madhya Bharat who was appointed to this Committee un
ar I the end of October The Government of India nominate
ther member of the Constituent Assembly of In [illegible] r present
take Mr Sarwate s place

4 Th first meeting of th Committee was held at New D
At this meeting a draft of th questionnaire to be
t xt of the questionnaire will be found in Appendix B It
h held in the Government Gazette of Rajasthan and Madhya
publicity in other ways Written memoranda in reply
invited both from individuals and from associations
enue problem of th two States More than 1 00 written
n person and associations in Rajasthan and about 30 in M
its presented a very wide variety of views

5 The Committee then toured the important parts of Raj
rat They visited Indore on October 26 and and
and 30 They then reassembled in Rajasthan and
ber 4 Jodhpur on November 5 and 6 Jaipur on Novem
on November 10 and 11 During these tours persons of
with or interested in any aspect of the problems und
xpress their views These persons and associations m

had sent written replies to the questionnaire as well as others who had not sent any such replies During these tours the Committee also took the opportunity of visiting villages and studying the land records systems the land tenures and the Jagirdari systems on the spot

6 The Committee then reassembled at New Delhi on November 24 25 26 and 27 to consider the recommendations which they should make to Government They also met a deputation of the Jagirdars associations of Madhya Bharat and Rajasthan and heard their views on a memorandum presented by them

7 For facility of narration and description we have retained references to individual Indian States as they existed prior to the formation of the Unions

CHAPTER II —HISTORICAL BACKGROUND

The Unions of Madhya Bharat and Rajasthan

1 The Unions of Madhya Bharat and Rajasthan comprise within their area a large aggregate of Rajput States as well as a few non Rajput States including two of the largest Mahratta States in India This area is bounded on the west by the Great Indian Desert its northern boundary marches along Punjab and Delhi and the River Jumna on its eastern boundary lie the Central Provinces and the Aravalis and the Vindhyas separate it from Gujerat and Deccan The area of this region is 1 73 402 sq miles with a population of 2 0 07 119

Madhya Bharat

2 Historically the best known part of this region is Malwa A tribe of people known under the name of Malavas settled in this tract of country and gave it the name of Malwa From the very earliest times we hear of the Aryan colonisation of Malwa

3 Avanti with its capital at Ujjain on the sacred Kshipra is hallowed in the lore and literature of India Asoka as a Royal Prince was Viceroy of Ujjain during his father s reign When he succeeded to the empire himself and became a Buddhist he caused the erection of the famous Stupas at Sanchi near Bhilsa This country is also famous for having been one of the seats of the great Vikramaditya the founder of the Vikram era It was in the north of Malwa near Mandsaur that Yashodharman and Baladitya broke the power of Mihirakula the Hun invader

4 After the death of Harsha we find Kshatriya tribes of the Deccan and northern India evolving into Rajput clans and tribes In the period before the Moslem invasion the Paramaras were dominant in Malwa and the Kachwahas and the Tomars in the northern area of Madhya Bharat The ancient Paramaras are still represented by the Rulers of Rajgarh and Narsinghgarh and the modern district of Rajgarh is inhabited by the Ummat clan of the Paramaras Gwalior and Malwa were during the early Moslem period annexed to the Sultanate of Delhi Whenever the Central Government at Delhi was weak the Moslem governors of Malwa tended to become independent rulers

5 Malwa lying on the highroad from northern India to the Deccan had always a great strategic significance It was consequently also always liable to pressure from neighbouring States During the period of Moslem rule the centre of gravity of the Kachwahas moved from the north of Gwalior westwards to Jaipur The Tomars who had ruled Delhi before the Moslem invasion were now pressed back to the south of the Chambal From the west came the pressure of the Khichi Chouhans who founded the States of Raghogarh and Khilchipur A little before the invasion of Babar Rana Sangram Singh of Mewar actually conquered Malwa from its Moslem rulers

6 During the Moghul empire a new class of Rajputs was introduced into this area Rajput grandees at the Moslem courts or cadets of the families of the Princes of Rajasthan who found favour with the emperor were often granted fiefs in this as in other parts of India Such are the Rathore Princes of Ratlam Sailana and Sitamau

7 Under the Moghuls the greater part of Malwa and Gwalior was directly administered as is apparent from the statistics in the Ain i Akbari The direct administration of Malwa by the Moghuls left its impress and brought about modifications in the fiscal history of the region With the decline of the Moghul power much of the local administration in Malwa was undoubtedly obliterated The position of the territorial chiefs was considerably reduced and their importance diminished The intermediaries on whom the Moghul power had relied for their administration suffered severely and there was much spoliation of territory as well of rights.

8 The first Mahratta raid in Malwa was toward the close of the seventeenth century. A few years later the Mahrattas were collecting Chouth ... Under pressure of events the Moghul Emperor granted the ... Baji Rao the D... of Malwa ... Baji Rao appointed his generals the Scindia the Holkar and the ... of Dhar and Dewas to administer the country and to collect his dues. These generals ... themselves ... whole of Malwa ... The Mahratta ... principal war between 1803 and 1818 as a result of which the ... established their paramount power in India. Sir John Malcolm made a ... settlement of Central India in 1818. The Central India of August 1947 ... settled by Malcolm with but few modifications.

9 During the period of Mahratta rule and of Pindari raids and mutual internecine warfare between Holkar and Scindia the political map of Malwa had become ... puzzle and the country was reduced to a state of extreme ... till referred to as ... Gardi ka Waqt. The territories of the Mahratta chiefs themselves inextricably entangled. Spotted all over the country were ... Rajput ... in varying degrees of subjection to one Mahratta Prince or another. In order to evolve some pattern out of this tangled skein Malcolm divided the ... and ... into three categories.

10 The first consisted of princes who were rulers in their own right and ... subordination to no one else such as of Gwalior Indore Dhar and Dewas. T... were all Mahratta princes. The second category consisted of the bigger ... chiefs who claimed recognition by the British independent of the Mahrattas. A... ments between these chiefs and the Mahratta princes claiming authority over ... were arranged through British mediation and these States were therefore ... to as mediatised states. This still left considerable residue of small chiefs m... Rajputs who could not be recognised as completely independent. Their hold... were therefore converted into guaranteed estates that is to say estates under the superior authority of another ruler but the possession of which guaranteed by the British Government under varying conditions.

11 This report is not concerned with the adjustment of tributes which made at the settlement of 1818. But one special type of tribute must be re... to here. During the period of establishment of their authority in Malwa the ... rattas had followed a policy of crushing out the Rajput chiefs and of obliter... as many of them as possible. Many big Rajput chiefs were reduced to holding a few villages and yet others were entirely driven from their ancestral lands. Rajputs in revenge used systematically to raid and plunder the villages whic... ... from them to the Mahrattas. Immunity from such raids was bought b... Mahrattas by the payment of blackmail money which was generally kno... Girasia. These Girasia grants were among the existing rights at the time British occupancy and were recognised by Malcolm on condition of mainte... order.

Rajasthan

12 There is definite historical tradition of the migration of Rajput clan... several centuries preceding the conquest of northern India by the Moslems twelfth century. The shattering effect of the invading forces of Islam large scale dispersion of Rajputs from the fertile and open parts of the ... The Rajputs spread themselves out in the hills wastes and the arid lands of Raja... which they held as the second line of defence against the foreign invaders thirteenth century the dominant clans of Rajasthan were already settled i... areas in which they are found at the present time. By then the Sisodias in occupation of the south and south west the wild western marches were ... by the Rathores the Haras a branch of the Chouhans were the dominant cl... eastern Rajasthan while the central parts were held by the Kachwahas of ...

13 The Kings of Delhi exercised little effective jurisdiction over the ... which the Rajput chiefs and the clans maintained their independence. The ... ... plundering expeditions of the Delhi Kings and the opening of the rou...

the Imperial armies to Gujerat through Rajasthan made no serious impression on the independence of the Rajput chiefs. The Moslems did not obtain a firm foothold in the heart of the country. When the Tughluq dynasty fell the independence of the Rajput chiefs was assailed by the Moslem kingdoms of Malwa and Gujerat. There was a short but brilliant revival of Rajput strength under Rana Sanga of Mewar. Fortune rose and fell. Finally some of the fertile lands in the east were lost and the Rajput clans were increasingly confined to the more inhospitable and inaccessible areas in the west and the south-west.

14. During the Moghul period the Rajput chiefs accepted the suzerainty of the Moghul Emperors and maintained troops which were at the disposal of the Emperor so long as he was in a position of authority to requisition them. But internally the Rajput chiefs and their clan organisations were not subjected to the direct authority of the Moghuls and they succeeded in retaining considerable autonomy and independence. Akbar made Ajmer the headquarter of a Suba which included all the surrounding territories of the clans. Certain parts included in the territories now known as Jaipur and Alwar may have been subjected to a closer control under the Moghuls owing to the proximity of the strong garrison towns of Agra, Ajmer and Delhi.

15. In the Ain-i-Akbari the whole of Rajasthan is shown as being comprised in the Suba of Ajmer. There are statistics for certain sircars such as Ajmer, Nagaur and Ranthambore. Moreland who has critically examined these statistics concludes that they did not apply to Bikaner, Jodhpur, Sirohi and Udaipur. Elsewhere also it may be presumed that the authority of the Moghuls over the tracts in central and eastern Rajasthan was far less extensive and less effective than the statistics pretend to imply and the revenue payments must have been a financial valuation of the amounts assessable than the actual receipts. The lands were acknowledgedly in the possession of the different clans under their own chiefs. With the possible exception of certain restricted areas in the central and northern parts of Rajasthan the Moghul agrarian system was not introduced in the areas held by the Rajput chiefs and their subordinate chieftains.

16. In the one hundred years following the death of Aurangzeb the Rajput States were threatened with obliteration by the powerful impact of the professional armies of the Mahrattas and the Pathans and the internecine feuds among the Rajput chiefs themselves. In 1818 a Rajasthan completely disorganised in its internal conditions was taken over under British protection.

17. The internal structure of the Rajput society was least modified during the Moghul period. The long period of distress which preceded the imposition of British Paramountcy weakened the central power of the Rulers in the Rajput States but it placed the subordinate chieftains in a position of greater independence. When the British settled Rajasthan in 1818 they had to bring about an understanding between the rebellious Thakurs and the suzerain Darbars in all the principal States where the semi-independent Thakurs had seized the Crown lands and had appropriated to themselves a large measure of authority which did not belong to them. Though the internal structure of the Rajput States was stabilised, an old and archaic institution based on clan organisation could not but be affected by the emergence of a strong Central Government of the Ruler of the State and by the corroding influences of the working of modern forces upon such an institution. Historically the land tenure system in Rajasthan has remained unchanged without any serious modifications during a period of nearly seven hundred years.

18. It took another half a century for the States in Rajasthan and Central India to recover from the scars and wounds which were inflicted on them during the disturbed period preceding the political settlement of 1818. It was during this period that in what was then known as British India the various systems of land revenue settlement and tenures were evolved by the early British administrators [illegible] shape given to certain theories of ownership of land at [illegible]

19 Before we refer to the land system during the British period we may ma[ke] a brief reference to the agrarian system in the Hindu and Muslim period

Fiscal History

20 There is much that is obscure in the fiscal history of the region There is lack of continuous historical information and of statistics Only some very broa[d] and general observations have been set out to serve as a background to the qu[es]tions which are dealt with elsewhere in the report

21 Village institutions in Malwa can be traced to the remotest antiquity an[d] as in other parts of India they continued to survive in their ancient vigour till th[e] eighteenth century In Rajasthan village institutions appear to have had a d[e]pressed existence owing to the peculiar nature of the clan settlements of the vari[ous] Rajput tribes

Jurists and administrators have debated on the question whether in t[he] Hindu agrarian system the principle of ownership of land ever prevailed or w[as] admitted We do not ourselves propose to examine this question We conte[nt] ourselves by quoting a few words from an authority which sums up the salient featu[res] of the Hindu land system —

> We find substantially two parties primarily interested in the land as far [as] its produce is concerned These are the King and the cultivat[or] and there are no independent interests although we find also a numb[er] of officers interested in the crop whether on the part of the village [or] of the King On the part of the King were the officers of revenu[e] and the civil and military establishments which were frequen[tly] provided for by assignment of revenue But we see nothing appro[ach]ing to a proprietor in the English sense and very little of the r[ela]tion of landlord and tenant (Tagore Lectures 18[illegible] quoted in t[he] Report of the [illegible] Zamindari Abolition Committee)

22 The fundamental [illegible] of the Hindu system may be stated thus The relati[on] between the King and the cultivator [illegible] in the early Hindu law texts w[as] not that of a landlord and a tenant It was more in the nature of a partnership [in] *the productive powers of the soil — relation which may very well exist witho[ut]* the attribution of a right of ownership to either party According to the law la[id] down by Jaimini we find that the King cannot give away the Earth because it [is] not his exclusive property but is common to all beings enjoying the fruits of th[eir] own labour on it The only rights recognised were the right of the King to [a] share of the produce and a right of occupancy for the cultivator who raised the cro[p] There was no third party intermediate between the King and the cultivator Th[e] right of the cultivator was a conditional right to occupy which right he could tran[s]*mit to his heirs and which for that reason might be deemed a proprietary right* [but] certainly fell far short of that right of ownership which in the *modern sense* h[as] come to connote plenary powers of user control and disposal The free exerci[se] of the power of alienation which is a characteristic incident of ownership in th[e] modern case was wholly unknown during the Hindu period

24 There is no evidence to which we can refer except the laws of Manu an[d] other ancient Hindu texts by which it may be presumed that during the Hind[u] period village institutions in Malwa and in those parts of Rajasthan which had bee[n] colonised conformed to the position stated above

25 The Islamic law was administered for a period of over six centuries [in] those parts of India which were subjected to the direct administration of the Musl[im] *rulers* The law of the Hanafi school was generally followed in India It was a rul[e] of law among the Hanafi lawyers that once the State had exercised the option of lea[sing]

[illegible] 1313 [illegible] the lang [illegible] been freely draw[n] from [illegible] ICS [illegible] The Influence of British [illegible] Comparative Law [illegible] in [illegible]

he lands in the po s ion of their former occupants the State renounc d all clai o owners up and had no more than the right to e t the land tax (Kharaj) fron he unb i vers l it in po ion who were treated not as tenants of the State bu is propri tors The doctrine of th Option originally applied to land which ha een con p r d by force Subsequently it was extended to cases where the occu ters made their subm ion

26 From this statement of the Hindu law it appear that a Mu lim o i ad no original titl as owner of lands subject either to tithe r Kharaj He m ht however a h d of th State be om t y sup ervem nt title the owner of land s b e t to the fixed Kharaj through u e of the legal powers of expropriation where th ax payer d faulted The normal position was that where the option had been exer is d the only right of the State was to receive a tax from land tal en up fo ultivation

27 As the Hindu law sp al s only of the King and the cultivator so too th Mo l m law contemplates only two partie namely the State which received the and tax an l a p r on in actual pos e ion of the land who engaged with the State for its payment Whatev r may have been the l gal theory in this matter there i nothing in the history of th lan l administration during the Moslem period in Indi o show tha the actual payment of the revenue to the State w is acknowledged as a ba lge of ownership in the modern sense of the term

28 Akbar s settlement and the regulations m le by him r og m ed th position that the State l alt directly with th ltivator the procedure in fact w a re ver ion to the Hindu sy t m of lirect relation hip between the King and the culti vator There is n o ju tification to hold from the records of Akb r s settlement at the cultivator s the o ner of his hol in g by virtue of his l bility to pay the revenue for it H right of the cultivator during Akbar s reign was no more ex tensive than what it w s in the Hindu p riod— a right of occupan y which was al owed to p ss by inherit nce Throughout th Mo lem peri d th re is also no evidence which purport to confirm a clai n for proprietary rights of any cl s of m l llemen or to place them in a po ition of landlor ls over the cultivators

29 W m iv ac ept that durin the Moslem p riod there was no great modi fication f th ant c dent Hindu agrarian system Th innovations which were ntrodu l under Mo le n rule did not fundamentally alter the previous position

30 The origin of the interme liaries between the King and the cultiva or is dealt with n nother section The answer to the question how the intermediary cla s put forw ar l a claim for landlord right may have to be looked for in the early n tory of the revenue administration of British India

31 The system of the Farmer of Revenue assumed greater importance during th declining years of the Moghul administration With the collap e of the Moghul powe he Central Government became weak the relaxation of control gave the Farmer a greater opportunity and scope for tightening hi grip and the A signee fade l out With the change of the system of revenue the po ition of the Revenue Farmer wa altered con iderably He began to secure for himself the status of a landowner He had acquired what may fairly be described as a pre criptive claim to proprietary interests in the lands under his control and his po ition of authority made him to all intents an l purposes a landlord It was open to the early Briti h administrators in Bengal when they first ame in contact with the land revenue system under the decadent rule of the successors of the Moghul Empire to have taken the stand upon the previous status and even the letter of the Mo lem law which does not tolerate the acquisition of property by pre cription and o have refused to recogni e the claim based upon pr criptive rights The agrarian system under the Briti h rule followed a different course and by the hi toric Regulation I of ssued by Lord Cornwallis the Zamindars of Bengal were declared to hav manent heritable and freely tran ferable right in the lan ls compri ed estates

own_ to the a ut itive nature of the Ruler both Mo hul and Mahratta and greate t in Raja than where the Ruler power and authority were con id rably re trict d by the ri ht of the subordinate chieftain The right of the grantee were undi turbed a lon they performed the c nditi n attaching to the grant and in the ca of the a ignee to the a i nment The relation between the St te and the cultivator wa generally dire t (with certain xception) in the area under the domain of th Ruler In th alienated r the a ree wa upposed to tand in the ame relation in hi land as the Ruler di lar hi fie Und r tre of modern idea land hav been ttle l and urv yed rd rents fixed by a proper ettl ment in the area dire tly under the control of the Rul r The initiative taken by the State in th ar under it dir t m n m nt h m varying degree been extended to th alh t i rea

ritory and settled down there he would grant assignments of land to the leading rriors of his army both as a reward for their past services as well as a remunera on for continuing to render service and for maintaining armed forces to be made ailable to the King in time of need Sometimes assignments were made merely a reward for past service rendered Then again endowments created by Rulers r the support of a temple a mosque or an educational or charitable institution ould take the form of an assignment of revenue At the other end of the scale me the minor assignments as Inams or Muafis which were granted to members of e priestly class or to servants of a humbler type for services rendered or for continu g service

6 There had therefore existed in India from very early times a class of inter ediaries authorized or permitted by the King to take a share and retain a portion the whole One of such class is the Assignee The general idea indicated by the ord Assignee writes Moreland is that instead of paying cash the State provided r future pecuniary claims by assigning to the claimant the King s share of the pro ice of a specified area the assignment carrying with it the grant of executive autho ty sufficient at any rate to enable the assignee to assess and collect the amount ie The area might be an entire province or a single village the claim to be satis ed might represent the cost of maintaining troops or salaries for civil or military rvice and in normal times the bulk of the State s claim on the peasants was signed in this way

7 The institution of Assignees indigenous in origin may be traced back to the re Moslem period in the form of assignments in lieu of salary or service assignments remunerate high officers as well as lower ones by gifts of land or assignments of venue

8 It was laid down by Manu that an officer appointed to be in charge of one undred villages should enjoy the revenue of one village The Arthasastra appa ently objected to the system for therein we read that the King shall not give away ny village to any of his servants but he shall increase their subsistence and wages n consideration of their learning and work

9 The ordinary meaning of the more familiar term Jagir is the assignment of evenue conditional on future service Jagir became a great agrarian institution n Moslem time initially under the early Moslem Rulers and later under the Moghuls nd was transformed into a convenient instrument of government From the beginning we observe there was Reserved (Khalsa) land that is land directly ad ministered for the benefit of the treasury The assignee had to collect the revenue due from his charge and after defraying the sanctioned expenditure such as the pay of the troops to remit the surplus to the King's treasury at the capital The King thus drew revenue from two principal sources the receipt from the reserved land and the surplus income remitted by the assignee In this context the assignee was a functionary or a bureaucrat Gradually in the pre Moghul period the system of assignment became the most important agrarian institution and it began to take the form which became familiar in the Moghul period The assignee was bound not merely to loyalty and personal service but to the maintenance out of the assigned income a body of troops available for the King's needs

10 The Assignee during the periods of vigorous Moslem administration had been nothing more than a State servant removable at the will of the Ruler exercising delegated authority and enjoying certain immunities and privileges The Moslem Rulers of India tried now and then to establish direct relation ship between the State and the cultivators of the soil but the continent I dimension of their conquered possessions and the inadequate administrative resources of the foreign nature of their rule successfully defeated their attempt Almost throughout the Moghul period the great bulk of the Empire nearly seven eighths was under the assignment system

11 In Moghul times particular items of recurring revenue were assigned to particular item of recurring [illegible]

of the Imperial service Besides the general obligation of service the assignee was under liability to maintain at his own cost a definite force of cavalry The officers income was always defined in money but the actual payment was by assignment as a rule and payment from the treasury was an exception

12 This system of assignment of land made nobility personal and not hereditary Instead of obtaining it by high birth men obtained nobility by military or civil appointments In the Moghul time there was an aristocracy of office with no hereditary privileges and little alienable wealth For this class there was no positive right to inheritance Sequestration of property at the death of an officer was quite common Nobility was often reduced to penury In a strong protest to his father Shah Jehan Aurangzeb wrote —

> It is your wish that I should adhere rigidly to the old custom and declare myself heir to every person who dies in my service We have been accustomed as soon as a noble or a rich merchant ceases to breathe nay sometime before the vital spark has fled to imprison and beat the servants of the officers household until they make a full disclosure of the whole property The practice [illegible] doubt but can we deny its injustice and cruelty ?

13 It was a common practice under the Moghul [illegible] ship downwards and to farm out the revenue [illegible] The interest of the assignee was not so much in the land as in the income The [illegible] nee was unstable as he was liable to be moved out from one assignment to another There was no tendency for the accumulation [illegible] ries in any way superior to those of the cultivator

CHAPTER IV —RAJPUT CLAN ORGANISATION

1 f d the annals of Rajasthan propounded the feudal view of Rajput soci ty There are no feature in the agrarian system of India which have any counterpart in the feudal system of Europe There may be certain superficial resemblance I the clan organisation of the Rajput the Rajput Chief is considered as first amon his subordinate territorial Chieftains The Jagir system with its a nments of land for military service may be considered as another characteristic of the feudal system The theoretical view of the Rajput territorial system was revised and the offi al view of the Government of India w set out in the following terms in the first Raj putana Gazetteer —

> The system upon which the land is distributed among the branch familie and other great hereditary landholders the basis of the politica constitution of a Rajput State and forms its characteristic distinction And this system not pealing accurately feudal The tenure of th great clan man involves military service and payments of financ aids but its source is to be found in the original clan occupation of th lands and in the privileges of kinship and of purity of descent fro the original occupants or conquerors The subordinate Chiefs real claim to be conquerors with the rulers in their right to dominion ov *the soil and to the fruits of it* (*Rajputana Gazetteer 1879 V* I p 60)

According to this view Clan fraternity which was the cementing element betwe *the Ruler and his Chieftain* was something much stronger than the ties of feudalism

The description of the Jagir system among the Rajputs is contained in t well known words of Tod The grant of an estate is to the life of the holder wi inheritance to h offspring in lineal descent or adoption with the sanction of t Prince and remainable for crime or incapacity the reversion and power to resur being marked by the usual ceremonies of the grantee or sequestratio (*Zabti*) or h m (Nazrana) the investiture of the heir

f appropriated as his fisc or Khalsa as much land as he could or as much as his ordinate chieftains would allow him to He possessed the large t portion of all ugh the lands held by the head of the State are not often more than the aggregate lings of branch families The lands are for the most part divided off and inherited ong branch families of the dominant clan Some considerable estates are held in tern Rajasthan and Udaipur by families of ali n cl ns who have come by m rriage by anterior settlement in the country or have come as a contingent to aid a former r of the country *in some hard fought conte t* Larger estat s are held by the editary heads of branch septs which have spread about from the main stock

7 In several cases the original fields have been further sub divided but always intaining their independent tenure In the words of Sir Alfred Ly ll large tracts of land were po essed by the hereditary heads of the branch septs which are read out from the main stock and by the kindred families which are as boughs the great branches Sometimes the e branches have ramified into a numerous dbt sometimes they are represented only by a family The family chief also portions hi land amongst his nearest brother in fact he is a state Chief in miniature and his group is a sub group

8 Thus the original very large estat s have been divided everywhere into a mber of smaller but independent ones The actual process of division has of course ried In ome parts the estate pa ses in block to one heir and others are entitled maintenance in others the tendency to divide the land as the family increases d branches out is more marked This proce s may be illustrat d with reference the history of Bikaner where the clan movements took place in the fifteenth cen y The Pathores of Bikaner are d vided into five main groups those descended om the original founder Bika consi ting of nine important families those from his brother Bi la *those from Bika s uncle and chief supporter and the other two* om Bika s less distingui hed brothers and uncles The anterior clan settlement s of the Bhatis According to the Bikaner Gazetteer of 1874 forty five sub groups cended from the e five main groups held between them 767 villages 15 of the sub groups did not posse more than one or two village and 18 sub groups of hati held am ng them in aggregate 89 villages of which only 4 held vill g s ov r) and under 0

9 Around and below the e tate holders and the familie are the kinsfolk who elong to the ame sept of the clan They hold land either in d p ndently of the head *on some ort of grant from him When division amon brothers becomes impera* ve the division of the freehold is in proportion as the custom of sub division in the an permits A stage is reached in the history of inherit nce when the estate ceases be further sub divided and provi ion f r the youn er brothers of the agnatic roup is limited to the grant of a well and a few bighas of land for life

10 Standing apart from the clan organisation but above the cultivator is the ajput Bh mia Tod gives a historical account of the origin of this term in Mewar Whatever may be the origin of the Bhum l olding it h d this app rently in common at a h reditary non resumable and inalienable property in the soil was in parably bound up with a *revenue free title* In Ajmer Merwara the Bhumia has high status and of Mewar it is said that the Bh mia there is considered to be the ndisputed lord of the soil The Bhumia and his l eirs l old the land for ever on con ation of peculiar service such as watch and ward protection of the roads or attend nce for specifi d purposes

11 Within a structure of society built up on clan orga ni ation a chain of mutual thority and su l ordir tion run in a graded course f om tl e Rul r to the posses or f one or more vill ge The e tate holder l rge and small pay to the State Ruler rtain dues a e ed on their income and regulated by custom They are bound to nder military service and their lands are rated at so many horsemen or footmen to *furni hed yearly* for the ordinary public service The domains of the estate olders are rated at a certain valuation of rent roll for every thousand rupees a

certain number of armed men must be provided for the State s service In recent times this s rvice h s invariably been commuted to cash payment the prev lent s tem in the We tern St tes and in Udaipur The rela the estate holders with the Ruler diff r from State to State In places they ex almo complete juri diction in their area in other places they have been re to mere assignees of revenue without any political influence or civil auth

1_ Wherever the territorial sovereignty of the usual organisation has b up the dom uns of the superior Chief or the Ruler have developed after many into the Khalsa or the State and of the subordinate estate holders into the areas It al o appears probable that both the Ruler in the crown dom the minor Chiefs in th ir own areas did not at first maintain or exercise a defini claim to the land as landlords but rather held their estates as rulers without direct onn ction with the ultivator except realt ing revenue from them Ruler of the St it did not take any share of revenue from the subordinate (Gradually with the pas _e of time the previous somewh it indefinite connecti the subordinate Chief with the land has be ome more clearly defined and his to b r bnd ha t it n r rv t lli e l and develop d into a claim on the p hi l n lnnt t l th tu il oil landlords both of the waste and of the t i l n l A g n ral u t m this l um ro o_nised the right of the culti t tim t j in f land which he or his ancestors have leared and l m l r iltiv ti n In th Khal villages the Ruler s claim probably develo simil r lin

n a greater par by various J t trib s hese app ar to have been organised into communities forming what may be called joint or landlord villages in which the original settlers or their descendants claim a right to the exclusive possession of the and round the village site The growth of the claim of the Rajput soil lord has overborne the joint constitution of the pre Pathore villages In place of a joint landlord claim of the descendants of the original founder of the whole village that claim has now be n transferred to the Thakur who while respecting the right of the first clearer of the land and his heirs maintains a hold on the o cupied waste Thus the villages have now become merely a collection of ind pendent famili s of cultivators th old bond of hereditary joint landlord claim to the village area having been compl t ly dissolved

16 Similar conditions prevail in the Khalsa villages also The extract below from an early ttlem nt report gives an insight into the constitution of a village in the Khalsa area in Bikaner —

> The actual act of founding the village will probably be marked by a ceremony Each cultivator would build his house on the plot l t d for the village site and would help to excavate the tank He then would break up and bring into cultivation as much land as he thought proper and wherever he liked at a gr at r or le s distance from the village site There was no partition of the whole or part of a definite area by virtue of joint landlord claim over it a h cultivator had a right to hold the fields whi h he broke up and a c rtain area of wa te around them as against the other m mb rs of the village This right descend d to his heirs in a cordance with the custom and to s h an extent was the right respected and is so still that a ultivator who is ab ent from his village for several years is justly entitled in the opinion of the country ide to the possession of his ancestral fi lds and hou e wh n ver he returns
> There n ver has been in the great majority of the Khalsa villages any group of p rsons who asserted or exerci ed any claim as joint landlords of the whole area of the village nor at the time were any groups who made such a claim based on inh ritance The villages con i ted of groups of independent cultivator the ri ht of ea h of whom is b sed on his bein either the first clearer of land or the d scend nt of such a cl arer and was limited to the a tual area held by him he had no re ponsibility and consequently no contingent right in regard to the holding of any other cultivator nor had he any claim over any undivided portion of the o upied wast he had m rely a cu tomary right to graze his cattle there

17 At the ea tern end of Rajasthan in th State of Kotah w hav ev lence that at the be inning of the nineteenth ntury the tenure of land in the Khalsa area was very wid ly h n ged by the administr tive measures of Zalim Singh Before his time two fifths of the produce belonged to the State and the remainder belon ed to the cultivator after dedu tion of th village expen es Zalim Singh surveyed the lands and impo ed a fixed m ney rate per bigha making th s ttlement with the cultivator and giving the villa e officers only a percentage on oll tions He soon broke do vn all the hereditary tenures and got almost the whole cultivated land under his dire t proprietary management u ing the cultivators as ten nts at will or a farm labourers

18 On the other hand in the State of Udaipur for a long time by practice the tenant in the Khalsa area had been l ft generally undisturbed in his poss s ion so long as he paid the land revenue H re two varieties may be di tinguished namely Pucca or Bapoti and Kutcha The former gives the occupier rights of mortgage and sale and an indefeasible title to the land so long as he pays a ses ment on it Even if ejected for non payment or driven away by misfortune and lo ses he may at time return and claim the inheritance of his ancestors by paying the re arrears as well as that of the year in which the land remained uncult his ab ence In the Kutcha tenure the occupier is little better than a t

CHAPTER V —JAGIR TENURES

Rajasthan.

1 The existing systems of Jagir tenures in Rajasthan may be grouped categories namely (1) Jagir (2) Juna Jagir (3) Bhom (4) Charitable G (5) Bhomichara (6) Inam (7) Service Grants and (8) Permanently quit nt estates and lands Each of these is described in detail below

2 Jagir —The term Jagir is used both in a generic and a specific sense its generic sense it connotes all non Khalsa area In its specific sense it means gr in land consisting of a whole village or villages or a part of a village or The tenure of the different classes of Jagirs are fundamentally the same but are slight differences of origin and some variations as to the duty or payment which they are held There are again broadly four distinct classes under which Jagir tenure falls One class includes members of the clan fraternity who hold lands not originally by grant from the sovereign or upon the feudal system but right of kinship with and descent from the original stock or stocks who first conq and settled as a dominant clan in the country Secondly there are grants for wl no feudal service is performed but only a quit rent paid or held revenue free may be held principally by the clan members of the Ruler s own family Ram near relation of the Chiefs etc They partake the nature of appanages Th there are real grantees who originally obtained assignments of land on the syst which the revenue was given for maintenance of troops or other distinctly val consideration Fourthly in the wider application of the term Jagir a grant is made in recognition of service of a political or civil nature or as a mark of son l favour of the Chief This class includes non Rajputs also

3 The Rajput Jagirdar with few exceptions pay a fixed annual tribute Jodhpur the military cess called Rekh is supposed to be 8 per cent of the gross value of the Jagirdar s estate and he has to supply one horseman for every Rs of revenue or one camel sowar for every Rs [illegible] or one foot soldier for every R The military service (Chakri) has now been commuted for cash payment In P the fixed military tribute is called Rakam and is made up of Rekh i e mone ment in lieu of service and Pakhwali or protection fees This yearly Rakam with the amount of the different estate but is generally about one third of t con In Udaipur the annual tribute is called Chatund It is supposed to b sixth of the yearly income of the estate of the Jagirdar and the Jagirdar has to with his [illegible] for a certain period every year In Jaisalmer there a class of Jagirdars one holding their estates on what is called the Bhum tenure in perpetuity These Jagirdars pay nothing whatsoever to the State either by of rent or service The other tenure is that of the Pattadars who hold their e at the pleasure of the Ruler and pay nothing

4 As a rule the Jagirdars pay a fee (Nazarana) on their succeeding to th tates The fee vary according to the locality Strictly speaking a Jagir granted for a single life only and on the death of the holder immediately be Khalsa i e reverts to the fisc and so remains until a successor has been rec when it is again converted and a fresh Patta issued Lastly an estate is not to confiscation save for some grave political offence

In the matter of succession to a Jagir the rule of primogeniture hol and if there is no son a successor is appointed by adoption who must be a line descendant of the original grantee otherwise the estate escheats to the State person adopted is nominated either by the Jagirdar during his lifetime or by his within twelve days of his death or should both have died without having selection by the leading members of the family

6 Non Rajput Jagirdars are not liable to military tribute but they pay Nazarana etc In their case also adoption can only be with the sanction [illegible]

7 *Juna Jagir* — A Jagirdar who o e t tte has been resumed is usually p rmitted Jodhpur in con ideration of his previous po ition and in order to save him from coming hom c nd p nule to r tain a c rtain portion cf it free of rent or tax any kind In Bikaner and in Udaipur this tenure prevails under the term Bhom he tenure holder are des endants of Ja irdars to whom land a s ned for main nance They do not pay revenue to the State

8 *Bhom* —This is a wider term than the one m ntioned above and the holders f the e tenure are scattered over a large area particularly in Jodhpur M war and Bundi Bhom land are of various d criptions The Bhomiya always a Rajput Where ther is a Bhomia in a villa e he ha a few bighas of land rent free

9 In Jodhpur land given by the State or by the Jagirdar to any one for im ortant service rend red to the State or village i called Bhom land Such lands re exempt from all kinds of tax or f e except the Bhumbab which is no m re than mild form cf tribute Secondly land peopled and brought under cultivation by ome enterpri ing per ons are allowed to be enjoyed by them in perpetuity A fixed ribute named Dumba is paid yearly to th Ja irdar within who e estate the land ompri ing the Bh m is situated The land are al o exempt from any other tax r servi e and ontinue to be enjoyed by the owners for g n ration Thirdly the ands or villages seized upon or conquered and successively enjoyed for a series of enerations without bein r m wed or di turbed ev n durin a chan e of government lso constitute Bhom They are exempt from all kinds of taxation only a fixed um named Kaujbal i levied from th m yearly They cannot be re um d ex ept on ground t tre on r commi sion of heinou crime

10 In Mewar tho e holding on the Bhom tenure may be cl ed under two groups iam ly th Bhumiat who pay a small tribut to th State and are liable to be call d n for local service and Bhumia who pay a n rmal quit rent (Bhum Barar) and per orm su h ervices watch and ward of their village guarding the roads et

11 *Charitall Grant* —These have their various synonym such a Sasan Doli Udak Milak Punyarth Dharmada etc All the e tenures connote charitable grants given to Brahmans Charans Nath Temple etc As a general rul they are held rent free A village in Marwar granted in charity i lled Sa an and i eld rent free When the grant is of a portion of vill e or ertain well and fi ld it is known a Doli

12 *Bhomichara* —The holder of Bhomichara tenures are generally spoken of a Bhomia But they may be di tingui hed as a different cl from tho e who hold Bhom land

13 The Bhomichara tenure is to be prin ipally found in Jaisalmer Mallani in Jodhpur and Shekhawati in Jaipur The Bhomichara tenur arises when th estate is treated as personal property and divi n take pl e ac ording to Hindu law and wher the law of primo eniture is not admitted Since divi ion ha gone on for centuries extreme fragmentation of Jagir right is to be expected and ev n the smalle t hold r of such right claim to hold his land und r Ja ir tenure

14 In Jai almer wh n a Jagirdar holding an e tat in perpetuity di s a new Patta i not i ued to the eld st son The profit obtained from the oil is divided equally b tween all th ons if there happen to be more than on So long a all a ree together this system is well enough but it i most frequ ntly a fruitful source of grievous qu rrel If a di pute take pl e a division of the l nd i made by arbi tration or by ord r of th Stat The yst m continues from gen ration to g n ra tion and in many instances now a man s share in the land is very small indeed This cu tom prevail prin ipally among tho e Bhati chi ftain who are th de endants of Maharawal Kair Singh

15 The consolidation of the e ... of Mallani and Shekhawati Alfred Lyall in his Asiatic Studi s) has been greatly hindered by th

the Chiefs of Jodhpur and Jaipur who being unable to control the o unruly com nities became alarmed lest they should unite under one head and become formida independent rivals With much the same motive as that which according to Henry Maine induced the English to gavel the lands of the Irish papists and them de cendible to all children alike the Jaipur Chiefs u ed all their influence pu h forward among the refractory sept the custom of an equal division of the among males on each succe sion—using it as a wedge to split up the groups as th began to form

16 There is no evidence for this as ertion that the law of primogeniture w deliberately not admitted at the instance of the territorial chiefs of Jaipur and Jo pur The Bhomichara tenures of Mallani and Shekhawati arising out of the clusion of the rule of primogeniture in regulating succession constitute an ex tion and not the rule in t e clan organi ation It is this exceptional procedure in matter of succes ion that is responsible for the fragmentation of the Jagir rights these areas and not any Machiavellian policy on the part of the Rulers P the Rulers may have derived a secret satisfaction at the weakness of the clans in areas but it is inconceivable that they could have interfered with the laws of sion again t the wi hes of the clansmen

17 In Mallani it is apparent that one branch migrated and founded the S of Jodhpur The other which remained adopted the law of gavelkind that by whi an equal division of the property of the father is made at his death among his s and began to divide the land in equal proportion at some later date At pr tl r re estates whi h are fairly big enough but the rest of the area has l minutely fragmented The first in rank is Jasol comprising of — villages which a divid [illegible] families In 189? it was r cord d in a report compiled by Jodhpur St te that the B rmer estat had already been divided mongst — 0 f lies Exact figur s are not available a this area has not yet been surveyed settl d

18 The tenures of Shekhawati in Jaipur hav the same characteristics as M ll n n th t ll l l hrg ar livid l mong all the sons at the death of the fath the rul of prim [illegible] not having been admitted her The Shekhawats of Uda purwati wh [illegible] (according to Tod) held that tract subj ct to the ordina rul [illegible] ul divide under circumstances which are not cl Accor [illegible] 49 villages were li ted in Udaipurwati S Sin h th [illegible] of the l ading Shekhawat famili s was shown as holding villa [illegible] remaining villa s were hown as di tributed among —6 Shekhawat [illegible] *separate a [illegible] recorded* Thus Sard Sin [illegible] fam ly s [illegible] under Mah raja Sawai Jai Singh of J ipur the lea e *Jhunjhunu* Narhar and Singhana Jhunjhunu and Narhar were later p rtiti am [illegible] Sardul Singh and by this sub-division the Panchpana w formed Sinc th Shekhawats of Udaipurwati had alr ady sub divided their e tates l ng bef r the tim of S wai Jai Sin h it was natural that in distributi their landed prop rty amongst their heirs they should follow the ordinary Hin custom of divi ion of the property which they had appli d to their home e Colon l Brooke wrote that Sikar and Khetri are the only estates which have caped th ruinous sub divi ion—the first by the destruction of the minor branc who sought to enf rc partition and the latter by want of issue beyond a single *line h rein* There [illegible] unwillin ness on the part of the l rger estate holders subj ct their estates to sub-division but over a larger area in this tract the cust of equal partition b tween equal heirs was favoured Mr Wills has described t complexity of th sub-divi ion of the land in this tract in the f llowing terms greater p rtion of it was no doubt partitioned of whole villa es but even t number of villa s formed the share of a singl heir that h ir did not receive the in a compact block He received a number of scattered villages which collectiv constituted his inh ritance Again as sub-divi ion continued even the ind villages were broken up into shares so that a number not of whole villages but

attered villages went to form the allotment of individual heirs Yet again thre villages which from the first were never partitioned as whole villages among the of Sardul Singh but each was held jointly by all the members of the family ortant centres such as Jhunjhunu Narhar and Singhana were treated in this way r a time when the co sharers of such villages became numerous partition seems ave been effected resulting in an extreme degree of fragmentation

19 It is not possible to define the incidents of Bhomichara tenure without care making a local enquiry It would be the function of a Settlement Officer to ound such a definition Regarding Sheknawati Mr Wills continues This h however is certain that the Bhumias right in Udaipurwati is a v ry strong —*certainly not inferior to the proprietary right of British India* They are not odars nor are they Istimardars—this latter term implying the existence of an inal Ijara Their tenure as Bhumias is almost certainly derived from a territo right which was in existence prior to the constitution of the Jaipur State in its ent form but that tenure cannot be held to confer on them any title to hold pendently of the Jaipur Darbar It was originally a tenure subordinate to the hul Government whose superior right was as already stated transferred by Ijara awai Jaisingh in 1730

20 The table below shows the extent of fragm ntation in the Panchpana anas of Shekhawati (Jhunjhunu District) —

Bi h	P na Z w S gh		P N w l S gh		P Kl h Sl gh		P K l gh		T t l	
	N	A	N	A	N	Ar	N	A	N	A
Up to 10	14	57		6	1	8			17	71
11—25		407	5	7	1	15			3	6 9
6—5f	53	1 9	7	2 3	4	161			64	2 371
51—100	3	5 4	8	31	7	53				6 3
01— 00	77	11 18	17	2 5		300			0	14 014
01—300	4	1 1	9	2 4	5	1			6	13 674
01—400	21	7 0	10	3 5					31	10 8
01—500		9 33	1	407					23	13
01 1 000	6	0 107	1	14 517					4	34 6 1
01 -5 000	5	1 0 5	17	49 9 1					63	1 4 3
01—10 000	4	4 0	5	3 0 9		13 717			11	6
O 10 000		8 366	6	3 60 308		1 5 81		4 41 681	1	10 3 167
	408	2 75 6	108	4 71 584	30	1 68 80		4 41 681	4	13 7

NOTE —( ) Afte the f rm t on f the P nchp n by tl sub d v n of 1 41 am ng t sons of Sardul S ngh n of Sa dul S ngh fi son named Akh y S gh d l w th ut e Inst ad f the sha e being div d d qu lly b tw n tl f ur b th rs t was p tt on d r between the three of th m bo n of tl s m moth —Z war S n h S d l S gh s by another wif bt ning o part of Akhey S ngh sha Hen the a only f u as in th abov tabl

( ) Th a ea are in B ghas

21 The table below gives the abstract of the above figures to illustrate the per tage of the holdings in different categori s to the total area —

B ghas	N	Are	P rcent ge of tot l rea
Up to 500	404	58 67	4 pe cent
501—1 000	47	34 6 4	3 per cn t
1 001—5 000	69	1 473	11 pe cent
5 001—10 000	11	79 6	6 per ce t
Above 10 000	17	10 33 167	76 pe cent
	548	13 57 807	

22 *Inam* —This is a rent free grant for services rendered to the the failure of lineal u [illegible] and is

a singl lifetime only The Inamdar cannot sell the land so held by him but h mortgage it

23 *Service Grants*—They go under various nam s such as Pasita B Tankh Hazuri Chakran etc These terms connote that lands are held in le services whetl er as grant from the State or the Jagirdar The grants are liable be resumed when the holder ceases to render the ervice or his service is no lo required

4 *Permanently q uit rented estates and lands*—These are denoted by van term is Dumba Chukota Suba and Istimrari Of these the Istimrari t nure m some att ntion The largest number of Istimrari estates in Rajasthan lies in Aj M rwara which area is out ide the scope of this report The ori inal tenure of Istimrari estat in Ajmer is exactly like the Jagirs in Raja than None of th Ajm r e t te ever paid revenue till 175 but were held on condition of milit servi e As it did not suit the Mahratta system to exact military service from estat hold r they as e d a sum upon each estate which presumably bore so r lati n to the number of foot soldiers which ea h estate holder had up to that ti been requir d to furnish Under British rule the estate holders were made to p y n annual fixed and perman nt quit rent and were converted into Istim tenur holders

Under different cir umstances Istimrari tenures appear to have arisen Jaipur State In 193 an enquiry was held on land tenures of the Thikanedars Jaipur State by Mr C U Will a retired memb r of the I C S After examin all the available material Mr Will put forward the vi w that a greater portion of t modern Jaipur State a sumed its present form by the policy pursued by Mahar Sawai Jai Singh His ori inal patrimony round about Amber was not extens Sawai Jai Singh expanded the State by the farming system which was a promine f ature f the agrarian system at the beginning of the eighteenth century In vi of the important po ition he held as a Governor under the Moghuls he took a lot land on the farming sy tem and l e d it to his Rajput clan m n under sub lea Th h t of Sawai Jai Sin h s Ijaras sh ws that by this means he occupied an ar much v der the t rrit ri l xtent of the pres nt limit of the Jaipur State T points f import n are tr ed by the enquiry namely the territorial growth of t modern Jaipur St t was altogether distinct in character as it was distinct in tu from the clan nqu ts which were the usual methods in early days of expan ion i a Rajput State and secondly that the development of the Jaipur State was a dir consequ n f th llap e of the Moghul power And that development was ba on Ijaras taken by Sawai Jai Singh When he returned to the task of administeri hi n w t rrit ri a quired from the Moghuls by means of these Ijaras he distribut them m n the subordinate Ijaredars Naturally in sele ting his sub le sees f the l ll r ~~~ it sh h h sul livided his new a quisition he showed a mark antip th for Moslem an l a di tinct preference for men of his own clan Witl a few years we find the Sh khawats planted in the north in what is now known Shekhawati to the exclusion of the earli r Moslem Qaimkhani holders while t Hara of th s uth with whom Jai Singh was on enmity were repl iced by the Naruk a sept of the Kachwahas Khandela and Udaipurwati were already in his kinsmen han ls an l Sawai J i Singh was ont nt to le v them undisturbed on their acce pt the a seem nt i o imp ed

26 From the examination of State record Mr Wills states that Sawai Jai Sin obtaine l Ijaras from the Mo hul auth oriti s for the Panchpana Singhana are I again obtain d l ase f five Moghul Mahals of Jhunjhunu etc from the Nawab Narnaul an l gave o it these five Mahals to a number of sub lessees one of who wa Sardul Sin h Sh khawat an l subsequently this sub lease was divided equal amon the fiv s ns of Sardul Sin h This is the origin of the formation of Panchpa in whi h are inclu led all the imp rtant Thikanas of Shekhawati

27 The t nure of the family of Sikar which first ob tained farming rights w d r v l from a permanent lease (Ijara Istimrar) between 1733 an l 175 The assi

ent of Rs 1 10 000 was imposed and these figures can be traced back to 17 9 and nce then the amount is still the basic figure of assessment for the main portion of e Sikar estate It may be recorded as a remarkable fa t that there has been no ariation in th ultimate figures underlying the revenue demand for this tract of ountry for over 200 year Mr Wills strenuou ly conte ts the views of Lyall and od that Shekhawati was conquered and a cl n settlement of Kachwahas took place le argues that any uch pretensions on the part of the Thikanedars of Shekhawati re singularly inappropriate to a cla s of tenure holders who first came into existence s subordinate Ijar dar during the break up of the Moghul po ver

28 The estate of Kh ndel and Uniara are also des ribed as Istimrari

Madhya Bharat

29 Mention h been mad p viou ly of th Guarant ed e tat s r co nised i the ttl m nt of 1818 The British became the gua ntors of the conditions ranted to those chiefs but subject alone to those guarante d condition the chiefs i this class were re arded as being under the authority and subordination of their Mahratt a ov rloid. In 1 l the guaranteed e tates in th G valior territories p sed more fully un ler the ontr l of th S india but t was und r tood th it the conditions uaranteed by the Briti h would continu to be respe ted by the Maharajas of Gwalior With the withdra val of British paramountcy on Augu t 15 1947 the guarantees o these estates mu t be deemed to have lap ed By uch lapse thes estates did not however be ome ind pend nt entities in the polity of Central India They are re arded as Jagirs r as mm nts held in the territories of the Treaty Princes in which hey are ituat d Thi is a point whi h is bein h tly onte ted by the Thakurs f Multhan and Ka hi Bar da who cl im that on the 1 th Augu t 1947 they be ame indepndent entities and that as such their right to a cede to the Union of India as separate State hould be recognised There i no substance in this ontention which they have submitted to our Committee In any case their position i finally settled by the definition of Ruler in Article 366 ( ) of the Con titution of India

30 In addition to these guaranteed estates there remained from the period before Mahratta invasion a number of Rajput chi fs who had been completely sub lued but whose holdings of few villages here and there were recognised as as ignments subject in most case to a payment of tribute The first category of Jagirdars in Madhya Bharat therefore onsists of this great group of pre Mahratta Rajput hiefs whose pre-existing possession of th e villages entitling th m to the revenue of th se villages subje t only to the payment of certain tr butes a re o nised and onfirmed by the Mahratta po vers

31 The next group of Jagirs in Central India comprises of assignments made by the Mahrattas to the leading warriors in the camps out of the conquer d lands These jagirs contain a condition of continuing service to their overlords They are usually held on personal service tenure called *Saranjam* and a century ago every such Jagirdar was bound to support his chief when ever called upon to do so with a quota of horse and foot called Zabta This service obligation has every where now been commuted into a money payment

32 The third group of Jagirs consists of rewards granted to high officials of the states for service rendered or to the cadet members of the chiefs families for their support and maintenance These Jagirs do not necessarily involve any condition of continuing service

33 Then comes a smaller class of assignment known as Muafis or land given as the name implies as a free grant When such grant is made for the support and maintenance of a temple it is known as Devasthan Muafi where it is given to priests or other holy persons or sacred institutions for their maintenance it is known as Dharmadaya Muafi

34 Another group consists of the Chal rana Muafi which are small allotm made to palace servants personal attendants of the chiefs pensioned sepoys other persons of a humbler rank who had rendered devoted and meritorious servi

35 In certain cases when it is not possible or convenient to assign a piece of l when creating a new Jagir or when the new Jagirdar is not in a position to look af an outlying Jagir which is said to be conferred on him the cash value of the a ment proposed is made payable to the Jagirdar This gives rise to the class of Nemnookdars or Cash Jagirdars

36 Another separate class of Jagirdars can also be distinguished among mat land holders of the pre Mahratta days who had conferred their holdings over on whom a permanent fixed quit rent alone was fixed This quit rent or fixed due is a nominal assessment not related to the income from the holding but wt the condition of confirmation of grant the amount is invariable This class of per sons are known as Istimrardars

37 Jagirdars in the old days were chiefs who not only maintained their ow armed retinues but also small units of armed forces Through the delegation t them of almost all administrative powers in their respective jurisdiction they ex ercised almost semi sovereign powers The powers of the Jagirdars tended to v inversely in proportion to the power of the central authority There were obvi dangers inherent in such a system After the settlement of 1818 the authority of t governments in all the States however showed a steady increase and it was possib for the ruler of a State to exercise his power more effectively throughout his te tory It was also possible gradually to bring more and more system into the fused mass of the Jagirdari system and in other fields of administration A consoli tion and reform of the laws customs and rules applicable to Jagirdars the steadily went on The rights of Jagirdars to levy customs duty and maintain thei own excise or Abkari arrangements were gradually extinguished though the pro from these sources were commuted to fixed annual payments The judicial p of Jagirdars were more carefully defined and their law courts placed under the appe late jurisdiction of higher court in the State Though no formal laws were promu gated defining the rights and obligations of Jagirdars manuals were drawn up in States defining them The manuals as constituting a body of orders issued by th Ruler of the State had all the force of law Provision was made in these orders the conduct of Jagirdars and for rules to be observed in cases of adoption and succe sion Provision was also made in the larger States for taking over of manag by government directly of the estates of delinquent Jagirdars

38 In this process of consolidation and reform the differences between one cl and another of Jagirdars which were purely historical in origin were gradually obl rated Jagirdars of different groups but having at the present time the same rig and obligations are now classed together One more new classification which v carried out in most of the States is worthy of note According to this classificat Jagirdars are defined to include only those holding an entire village or several villages while the term Jagirdar was no longer applied to those smaller classes assignees who hold only a few plots or holdings

39 In this process of consolidation of the rules relating to Jagirdars anotl significant development occurred Many States particularly the Gwalior took an opportunity some years ago of subjecting to a fresh and careful scrutiny Sanads and title deeds of all Jagirdars Where such title deeds were found d fective it was obvious that the Jagir was liable to immediate resumption Out respect however for the rights which may be taken to have accrued by all such Jagirs with defective titles were not actually resumed The tribute Tankha was revised and fixed at half the revenue of the Jagir These Jag classified as those assigned under Jadid Usool

PTER Vı —GENERAL DESCRIPTION STATISTICAL AND OTHER DATA REGARDING JAGIRS

sthan.

1 The United State of Raja than (or Rajwara the abode of the Princes) been formed by the Union of 18 States of the former Rajputana Agency but uding the State of Sirohi and the centrally administered area of Ajmer Merwara ut 7ɔ 000 sq miles of the area of the western part of the Union comprises of the ier States of Jodhpur Jaisalmer and Bikaner The total area of Rajasthan is 236 sq miles with a population of 1 30 81 183 The Union has been divided 5 divisions 24 districts and 77 sub divisions The population by the adminis ive divisions is as below —

Dvs n	Populat n (1941)
Udaipu	6 53 033
J pu	53 36 991
B kan	1 9 938
Jodhpu	6 49 150
K t h	11 49 071
T tal	1 30 81 183

2 As traced on the map Rajasthan is an irregular rhomb its salient angles to north west south and east respectively being joined by the extreme outer undary lines of the States of Bikaner Jaisalmer Banswara and Dholpur It is bunded on the west and north west by Pakistan and on the north and north east East Punjab Its eastern frontier marches first with the United Provinces and ext with (walior while its southern boundary runs acro s the central regions of ndia in an irregular zigzag line

3 The Aravali Hills (Paripatra of the Vishnupurana) intersect Rajasthan most from end to end by a line running north north east and southwards This e divides the sandy country of the north west from the kindli r soil of the south st and roughly speaking about three fourths of Rajasthan lies north we t of the avalis leaving one fifth on the south east The Aravalis may be aid to repre ent oastline partly fenced in by high cliffs and partly an irregular shore pierced by bays d inlets against which the sea of sand blows up continuou ly from the shelving ains of the west

4 The character of the north west region is the same everywhere It is covered y sand hills shaped generally in straight long ridges resembling the rippled marks a sea shore upon a magnified scale Their summits are blown into wave like curves y the action of the periodical westerly winds The villages within the de rt cannot reckoned as fixed habitations for their permanence depends entirely on the sup y of water in the wells which is constantly failing or turning brackish and as soon the water gives out the villages must shift The cultivation is everywhere poor and ecarious Along the base of the Aravali range the sub montane region is well ltivated wh re it is not covered by jungle

5 The second main division of Rajasthan south east of the Aravalis is a higher nd more fertile region It has however a very diversified character It contains xtensive hill ranges and long stretches of rocky woodland it is traversed by con derable rivers and in many parts there are wide vales fertile table lands and great readths of excellent soil The eastern plateau of Rajasthan which includes Kotah nd Bundi States falls very gradually into the Gwalior country and the catchment f the Betwa river North west of Karauli the country smooths down and opens at towards the Bharatpur territory whose flat plains belong to the alluvial basin of ie Jumna

6 In the north western divi ion of Rajasthan the only river of any significa is the Luni The south eastern division has a river system of importance Chambal is by far the large t river in Rajasthan flowing through the province about one third of its course and forming its boundary for another third Its pr pal tributary Banas which is next in importance to the Chambal is throu hou ength of 300 miles a river of Rajasthan

7 Excluding the comparatively fertile regions of Marwar along the bank the Luni river the country to the west north and north west of the Aravali compri ing the whole of Jaisalmer Bikaner and Shekhawati and most of Jodh is a va t sandy tract Water is far from the surface and scarce People hav depen l for their supply of grain almost entirely on those grown in the rainy sea which in this area is of a very uncertain character In the eastern half of Rajast agricultural conditions are very different The rainfall is heavier and more reg Except in a very few parts two crops a year are the rule and not the exception most important irrigation system is the Ganganagar Canal of Bikaner w the waters of the Sutlej have transformed desert life and nearly eight lakhs of a are being irrigated by this Canal

8 In Chapter IV a description has been given of the clan organisation am the Rajputs The Rajputs form a small minority of the population throu h Rajasthan They hold the land to a very large extent either as receivers of ren as cultivators The tradition of common ancestry has preserved among them feeling which prompts a poor Rajput yeoman to hold himself as good a gentlema the mo t powerful landowner of his own clan but as a race they are inclined to too much on the past and to consider any occupation other than that of arms government as derogatory to their dignity and the result is that those who do hold land have rather dropped behind in the modern struggle for existence

9 The statement below shows the percentage of Rajputs in the populatio certain Rajput States in juxtaposition with one of the most numerous castes or tri

State	Rajputs	Jats	Bhils
Bikaner	510 6)	1 14 (3)	
Jaipur	1 13 38[illegible] (4)	3 13 60[illegible] (1)	
Marwar	1 67 874 (9)	83 [illegible] (13)	
Banswara	[illegible] 818 ( )		1 44 [illegible] 5 (6[illegible]
Dungarpur	[illegible] 4 (4)		1 [illegible] 3 3 0 (54
Mewar	1 4 1 4 (8)		10 83 (14
Partabgarh	3 3[illegible] (4)		9 44 (38

NOTE The figures are of the 1931 census

10 Our enquiry has been considerably handicapped by the absence of reli statistics and data on several important matters relating to Jagirs There are pr tically no statistical compilations published by any of the States In the absenc survey and settlement operations there is practically no information relating to aspect of the agrarian conditions in the Jagir areas The statistics relating to number of Jagirs are also incomplete

11 No statistics of any kind are available for the State of Jaisalmer

1 It was found impossible to obtain any kind of statistical information in following cases —

(a) Extent of alienation of land in favour of sub proprietors and family m bers

(b) Details relating to Bhomichara tenures in Mallani and Udaipurwati

(c) Cash income of the Jagirdars

(*d*) Approximate total revenue realised by the Jagirdars in Pajasthan.

(*e*) Details of the plot proprietors of Charitable and other Grants and their income

(*f*) Incidence of land revenue in irrigated and unirrigated tracts in the Jagir ar as

(*g*) General agricultural statistics and other relevant data relating to agrarian conditions

(*h*) Total area of the Zamindari tenure and the revenue paid to Government

13 The following table shows the distribution of the total area and the villages Rajasthan between (*a*) Khalsa and (*b*) Jagir —

D vis n	A r q m l s		V llag	
	Kh l	J g	Khalsa	Jag r
Ud p r	7 46	10 563	3 038	5 900
Ja pu	1 379	1 57	6 600	4 6 6
B kan	8 17	15 000	1 804	1 564
Jodhpu	14 013	36 978	1 149	3 87
K tah	7 9 0	1 991	4 047	903
	50 1 6	77 110	16 638	16 80

Statistics are not available to show the distribution of population between the alsa and Jagir areas

14 The following statement shows the tribute paid by the Jagirdars in Rajas n —

D v i n	T but P
Udaipu	5 4 764
J pu	9 0 0
B kan	1 8 6 1
J dhp	8 00 956
Kot h	51 417
T t l	44 98 78

NOTE —In B k n Ch k i l vi d n k nd

15 The following table gives the detailed classification of Jagirs according to nures —

D vis on	Raj	Ja m l u of serv e†	Jag p p	Bh m bara	I t m	Ch rit ble G nts (of all des rip n)
Ud p			3 00			
J p	8	48	1 48	3	58	467
B kan	4	150	473			16
Jodhpu	0	119	1 36	346		6 1
Kot l	35	70				93
TOT L	107	8 4	6 963	5 8	58	1 343

Th figure fo Ud pu are pp x mat

† Th n l l T nkh d R ssal Maez dan Kh wa Paswan Hu uris d Mut ddis

‡ F gure not ail bl

The above table relates only to whole villages There are no statistics oldings or plots held under any of the above tenures.

16 Some of the fiscal powers still enjoyed by the Jagirdars are set out bel

Excise Opium and Customs Compensation —In almost all the division principal Jagirdars are paid Excise Opium and Customs Compe[illegible] Excise compensation is paid in cash and in kind also Bikaner some 38 800 bottle of liquor are given to the Jagir[illegible] concession rate and in other units payment is made in cash figures for these compensations come to Rs 3 04 227

Salt Compensation —This is also paid to the Jagirdars in all the div[illegible] Rajasthan The approximate amount comes to Rs 21 097 the for Udaipur and Jaipur divisions not being available

Patta Fee Nazarana and Mohrana —Excluding Kotah and Udaipur div[illegible] Patta Fee Nazarana and Mohrana for sale or transfer of land fo[illegible] dential purposes are being charged by the Jagirdars

Mines —In Jodhpur division some of the Bhomichara Jagirdars of [illegible] are given Rs 2 877 as compensation for Mines In Jaipur some of Udaipurwati enjoy rights of minor minerals

Mapa or Sale Tax —Mapa or Sale Tax is still levied in Bikaner Jaip[illegible] Jodhpur divisions

Cattle Pound and Kodi Compensation —Rs [illegible]1 192 as Cattle Pound Co[illegible] sation and Rs 1 3[illegible]8 as Kodi Compensation are being paid in B[illegible] division In some of the divisions Jagirdars still maintain cattle p[illegible] of their own

Hawala General and Forest Compensations —In Jodhpur division Rs for Hawala Rs 1 191 for General and Rs 2 14[illegible] for Forest Com[illegible] tions are given to some of the Jagirdars

Madhya Bharat

ambal which is the most important river of the State rises near Indore and flows rth west and then changes its course to north east and then to east to join the mna A number of smaller streams rising in the south of the Malwa plateau scour e plateau and flow down to the northern plains as tributaries to the Chambal

22 Irrigation is little resorted to in the Malwa plateau The soil is however ghly retentive of moisture and the ample rainfall during the south west monsoon ables good rabi crops to be raised Irrigation in the northern districts is also poor hough certain minor irrigation works have during the last two decad s been cons ructed in this area Cultivation in the northern districts is much more dependant n irrigation because of the low sandy nature of the soil

23 The distribution of the population in thi State is extremely uneven In he north the three districts of Bhind Morena (without Sheopur sub divi ion) and Gwalior (northern half) are almost as fully populated as districts in the United Provinces Districts in the heart of Malwa are fairly well populated even though much less so than the northern districts In the Narbada valley the di trict of Nimar has a fairly high density of population This leaves out two important areas namely the areas along the Vindhyan ranges and the central districts of Shivpuri Guna and the adjoining tracts The Vindhyan hilly region is covered with forests and is not likely to be populated in the near future Land reclamation on a vast scale is how ever possible in the districts of Guna and Shivpuri Attempts to settle new colonies of agriculturists in this area have met with little success so far Perhaps only a large scale change in conditions such as that which may be brought about by the compl tion of the Ch mbal project can attract new colonists to this area

24 Three statements are given below showing the distribution of Jagirs according to —

(a) the class of Jagir

(b) the ca te of the Jagirdar and

(c) the area population etc of the Jagir

( ) S t m t h g th b f J r M dhj Bh a t w ll la yf t

Sl No	Nam f D s n	Jad d U I	I t rd	T nk h f & Mu f d	M b Dharma d y In n & Ch t es	M uf D os tl i	na Kard r nd G j r dar	Oth rs	T tal
1	G al	75	7	0	61	18	5		11
	Ujj n	11	114	9	51	3	40	69	618
3	In l	3	7	191	68	1	13	177	500
	T TAL	1)	1	0	180	33	8	71	1 3 9

(b) St nt f J r n M th ja Bh t h w g th ca t l fi t on

Sl No	Nam f D n	M h att	R j put	B h m n	K v tl	V bya	Mosl m	M hant	Others	T tal
1	Gwal	14		58	9	3	9	33	8	11
	Ujj n	4	433	54	9	6	35	35	30	6 6
3	In l re	54	10	137	14	5	16	"	34	49
	T TAL	9	0	49	3	14	60	90	72	1 3 9

e

( ) S/u m t f a e p p lat on et f the Jag r in Math Bharat

Sl N	Name f D n	Numb r f J g rs	Numbe of V lla	P pul ion	Are n sq mil	Income of th Th l a na	Rem ttanc t Go mm nt
1	Gwal	11	1 64	3 30 005	3 4 1	18 63 76	1 80 55
	Ujj n	618	1 097	3 8 911	994	8,38 5 0	7 07 945
3	Ind r	00	1 10	4 5f 716	034	6 84 337	98 858
	TOTAL	1 3 0	4 49	11 4 53?	8 449	73 86 f7	11 87 088

ی Certain further and more recent chan,es which have been introduced in the status an l powers of Jagirdars as a result of the advent of popular government ır Madhya Bharat must also be briefly noticed In the Gwalior State a respon ible ı try was formed in January 1948 That Government naturally supported the ır view that the existence of qua ı independent administrative and judicial in the hands of Jagirdars con tituting an imperium in imperio was an ana m an l had to be lone away with immediately On May -4 1948 that is to our d ys before the formation of the United State of Madhya Bharat an ordinance as promul ted by the Maharaja of Gwalior by which the Jagirdars ceased to have the powers After the coming into being of the State of Madhya Bharat an Ordinance exten ling th provisions of the Gwalior Ordinance to the whole of Madhya Bharat was promulgated This was later converte l into an Act of the Legis lature By the e ref rm all tl e police stations an l the Magistrates and Judges Courts un ler tl e ı uthority of the Jagir lars came un ler tl e jurisdiction of the Madhya it Go rn n t lirect The power of the Jagirdars to ı ue coercive proce ses realis tion f arr ars and revenue due to them from their own peasantry was ne away with Th next step in tl e reforms came with the promul,ation of lhya Bharat J ırs l and I c rd Maintenance Ordinance which was conver into n A t of th Legislature This placed the revenue officers un ler the Jagir dars and in re particularly the Patwari of the villages under the juri liction of th State Government Hereafter all illage maps an l villa e land records main tained by the Patwaris became Stat records a in Khal a villages This is now true of the wh l of M lhya Bharat xcept in a small tract con isting of the old covenanting States of Alirajpur Mathwar and Kathiwara where there has yet been no survey an l ttlem nt n l where no l an l rec ord have yet been compiled Then followed the Sche ul l Ar s J ırs Maintenance Ordinance which empowered the Governme of Madhya Bharat to take over un ler direct Government m nagement the Jag situat d in tl h lul l areas and even Ja ırs situated out ide tho e areas T Ordin n e was sub equ ntly with sli ht modifications enacted as a Panjramu Act Th e nf rr l on Government the power of taking over the direct manage of J ırs in tl s heduled areas only Un ler the rules made un ler this Act t vernm nt have been furth r empowered to make c rt un de luctions from the of tl se Ja ırs in tl e s hedul l r s for certain public purpo es such as th tenance of s h ols an l hospitals before d t rmining the net amount payabl Ja ird rs The result of all th se reforms luring the past year and a half l to depri e tl J ırd r of all administrative powers in h s villa, s an l to re to tl e sta u c f a m rer venue r ceiver H stan ls forth today purely as ar of the rev nues of tl e Jagir villa es an l no more

6 In the State of Jhalawar limited Zamindari rights have come into existence only recently. Originally a system known as Watandari prevailed which was more or less a Theka system under which the State revenue used to be fixed for a period of three to ten years. Subject to this periodical revision the Watandars rights were hereditary and transferable and not lost by absence and they were held responsible for the payment of the State demand and arrange among themselves for the cultivation of the village lands and the distribution of the revenue. But at the time of the settlement the Watandari system was converted into Zamindari.

7 In villages of Jaipur there are Biswedars who are more or less akin to Zamindars elsewhere. A noticeable feature about them is that they are comprised of small holders and are really peasant proprietors for all practical purposes.

Madhya Bharat

8 In Moghul times practically the whole Province of Malwa was surveyed and the village records were kept in the offices of the Pargana Zamindars and Chaudhari Kanoongo. Every village had its own officer called Mandloi, Chaudhari or Zamindar. The Zamindar of the Pargana was a sort of government official and was given some Nankar lands in lieu of his services. He also used to receive four to [illegible] per cent from the village revenues as Dami. He was expected to maintain law and order and had to maintain a number of Sawars for this purpose. The village records remained in the office of the Kanoongo and the Zamindar had supervisory powers over him.

9 When the Mahrattas first came to Central India they found in existence the Moghul system of land revenue though in a state of rapid disintegration. The [illegible] [illegible] nature of the times prevented the new Mahratta generals from setting up [illegible] system of direct administration. Apart from the land the revenue of which [illegible] [illegible] by way of various assignments there remained vast tracts of country [illegible] Khalsa. The Moghul system of collecting revenue from Khalsa villages would have involved the employment of a host of governmental officials. The Mahrattas found it much easier and more convenient in view of the [illegible] circumstances to farm out the revenues of these villages. Farmers who went under the title of Kamaviswdars or Ijaradars were appointed to individual villages or groups of villages. These Thekas were however not given in the beginning for long periods of time or on a hereditary basis. Contracts were made for three to ten years though very often they were renewed. The entire management of the areas allotted to a farmer was left to him and the farmer was responsible only for paying the amount agreed upon.

10 Mention has been made before that Madhya Bharat had through centuries been a great highway between Northern India and Deccan. It was not only a highway for men and materials but also for ideas. As the States in Central India began gradually to settle down to normal administration after 1818 the system of Ijaradari or Theka was abolished in most of the States. As the machinery of the government became more settled and more effective the necessity of farming out the revenues of land disappeared. It became possible to collect the land revenue through direct government agency. In the Indore State and in practically all the other covenanting States a system of tenure very akin to the Ryotwari tenure of the Deccan was adopted. The only difference between the Ryotwari of Central India and that of the Deccan was that the peasant was not given the right to transfer his holdings. The connection for land revenue however became one between the peasant of holdings and the State without any intermediary.

11 Things in Gwalior which lies in the northernmost part of Central India however took a different course and Gwalior was much more affected by north India. Its proximity to the U P no doubt influenced the course of events [illegible] [illegible] the establishment of the Zamindari system in the Khalsa villages of this State. The number of Zamindari villages in States other than Gwalior is so small as to be negligible.

12 Towards 1840 the farm system in Gwalior began to be converted into the Zamindari system Regular written leases were issued to Zemindars Greater control was however exercised over them by their being asked to submit careful accounts of their engagements with tenants and collection The leases again used to be renewed when they expired The power to lease out land and make engagements with the tenants was however left with the Zemindars In 1853 the position of the Zemindars was further entrenched and clarified by the framing of rules by the Gwalior Government In 1863 a settlement was made of these Khalsa Zamindari villages and where existing Zamindars declined to engage on the terms settled by the settlement officers the engagements were offered to other persons who were called Mustajars to distinguish them from Zamindars A time limit was given to the Zamindars in such cases to accept the engagement but where Zamindars did not exercise this right within the time limit Mustajars were confirmed as the Zamindars on payment of a Nazarana of two years land revenue

13 The rights of Zamindars in Gwalior State were evolved during the sixty years following 1853 The Zamindari tenure was formally recognised in law for the first time in 1853 The custom of renewing leases of the farmers gradually conferred hereditary rights upon them But that conferred on the Zamindars no right of transfer Later however the rights of mortgage and transfer were conferred on them under certain restrictions one of which was that the transferee should also be a subject of the Gwalior State These restrictions were again gradually relaxed so that the Zamindar stands forth today with full rights of inheritance and transfer There is little doubt that this evolution was inspired by ideas flowing across the border from the U P The system now existing in the Khalsa villages of Gwalior is practically the same as that in the U P Villages are partible into Mahal and in many villages bodies of proprietors are now jointly responsible for the payment of the land revenue Where instead of single zamindari there is joint zamindari or Pattedari or Bhai Bachara regular Lumbardars are also appointed to represent the proprietary bodies and to be primarily responsible for the payment of land revenue Above all transfers of Zamindari for valuable consideration have been frequent in the recent past and quite a new body of Zamindars who have bought their rights for hard cash has come into existence

CHAPTER VIII —LAND RECORDS SURVEY AND SETTLEMENT

Rajasthan.

1 The first survey and settlement operations in Rajasthan were un[illegible] in Alwar as early as 1872 and other States followed suit sooner or later Surv[ey and] settlement operations have now been completed in the Khalsa areas of [all] States with the exception of Kishengarh Shahpura and Jaisalmer In Ki[shengarh] and Shahpura the work is in hand and is in the final stage of assessment No [consi]deration has yet been given for Jaisalmer which has a vast sandy desert area of [illegible] sq miles On account of the sparseness of population abundance of land [and un]certainty of cultivation rights of land do not carry much value in Jaisalme[r].

2 For a long time there was considerable reluctance to extend the surve[y and] settlement operations to Jagir areas particularly in the bigger States Jagirdars have resisted any encroachment of the State authority in [this] matter for a number of decades Earlier when Settlement Officers were d[eputed] to some of the principal States in Rajasthan the Government of India directed [them] to carry out the settlement operations only in the Khalsa area the Jagir area[s] specifically excluded from such operations In Jaipur a cautious approach [to] survey and settlement in Jagir areas was made by extending the operations t[o] Jagir under the Court of Wards or where the Jagirdar voluntarily desired [survey] and settlement It was only in 1948 that Jaipur embarked upon a [illegible] of survey and settlement throughout the Jagir areas of the State Survey an[d settle]ment operations in the Jagir villages of Udaipur were taken up in 1934 [illegible] six years ago Bikaner and Jodhpur though [illegible] surveying and settling their Jagir [are]as but the pace of progress has been very slow owing to the unhelpful attitu[de of] the part of the Jagirdars in the initial stages The smaller [illegible] in parts of Shekhawati and Udaipurwati of Jaipur have often [illegible] operation In some instances their opposition has been [illegible] grievous[ly] [illegible] real and more often fancied

3 The present position regarding survey and settlement in Jagir areas in [Rajas]than is that [illegible] Jagir villages [illegible] have so far been surveyed and se[ttled] representing [illegible] of the Jagir villages In terms of area the percenta[ge of] the work [illegible] to 18 [illegible] 13773 sq miles out of 7[illegible]110 sq [miles] have been surveyed and settled In Khalsa 73% of the area has been settled [illegible] comprises [illegible] the total number of villages Settlement operations are in progress in [illegible] Jagir villages with an area of [illegible]18 sq miles This still leav[es] villages with an area of [illegible] sq miles where settlement operations have yet [to be] initiated A [illegible] statement giving details of areas and villages in both K[halsa] and Jagir under various stages of settlement and survey in each division is gi[ven in] Appendix [illegible] which is [illegible] out below —

Sl N	N m of D i n	Parti ul	T tal numb f l lag th a		Settl d		W tk n p gr		Wo k not t ken up	
			V ll g s	A	Villa	Ar a	V ll g s	Area	V ll ges	A a
1	Ud pur	Kh l	3 038	7 46	14	5 614	10	375	5	1 478
		Non Kh l	5 900	10 69	750	4 736	1 061	615	1 49	3 18
		T tal	8 938	18 036	5 044	10 3 0	1 880	2 990	014	4 696
	J pu	Kh l	6 600	1 3 3	6 183	11 075	399	1 04	5	100
		N l h l	4 6 6	1 2	2 109	6 835	1 51	3 384	91	3 3
		T t l	11 6	4 3 1	8 389	17 910	1 907	4 508	337	473
3	B k ner	I l ls	1 804	8 317	1 804	8 317				
		N n l h l	1 64	15 000	03	1 061	1 6	11 531	135	108
		T t l	3 368	3 317	007	9 378	1 6	11 831	13	108
4	Jodhp r	l h l	1 149	14 013	8 7	198			3	8 815
		No Kh l a	3 787	36 978	8	6 1	1 407	7 91	302	9 036
		T t l	4 936	50 991	905	5 849	1 407	7 91	6 4	37 851
5	I ot l	l h l	4 047	7 950	3 250	6 96	1 97	363	600	991
		N Kl l a	903	1 991	4	490	33	417	446	1 084
		T t l	4 9 0	1 941	3 4 4	7 086	430	780	1 046	075
	TOTAL	I hal	16 638	50 1 6	14 358	36 800	808	1 94	1 4	11 384
		N n Kh l	16 780	7 110	5 4 4	13 73	6 04	5 18	5 284	37 819
	G AND TOTAL		33 418	1 7 36	1 81	50 573	6 850	7 460	6 756	49 03

4 We have been given to understand by the Settlement Commissioner of Ra than that having regard to the magnitude of the work and the practical difficult involved it will take at least another seven years for the completion of the settlem operations He e timates that this will entail an annual expenditure of not le st Rs 0 lakhs His estimate is based on the assumption that special arrangem would be made for training the staff and that the requisite staff would be forthcom Our own expe tation is that it will take at least ten year to complete the work

5 So far as Khalsa is concerned the revenue position is satisfactory Settlem operations in this area largely took place when the prices of agricultural commodit were very low and consequently the incidence of revenue in view of the present prices is very li ht Land re ords are properly maintained These record cer of Khewat Khasra Khatuni Jamabandi maps Dasturgavi and Berawar and t follow th standard pattern as in other settled areas They do not call for any p cular comment The tenant has his ri hts defined and secured and there is on whole little cau for him to complain

6 Conditions ar quite differ nt in the Jagir areas In the vast unsett portions of Jagir ar as the tenants suffer from the absence of regular record of ri There is no prote tion for them against the constant inroads that are being mad the landlord on th ir ri hts In all the settl d villages of khalsa and Ja ir r r nt have been evolved on the maximum ba is of one third for unirrigated a on fourth for irrigated lands

7 In all the settl d Khal a villag r venue is reali ed in cash throu h t ag ncy of th Revenue staff who are d ignated as Havaldars in Jodhpur Dafd in Udaipur and el ewhere by [illegible] und r the supervision of the Te l dar The collected amount is remitted into the treasury by the Chowdharis or I [illegible] In the Zamindari ar a rent is colle ted by the Bi w dars and is remit into the Tr asury throu h the Lambardars In the settled Jagir villag s the r ar r [illegible] by th landlords throu h their own staff but very few of them maint pr p r y trained Patwaris Except some of the bigger Jagirdars the majority th m [illegible]

8 Wh n th l ndl rd s h r i taken in kind a it i d ne in the un ett Jagir ar a it g nerally exceeds the ba ic shar in the Khalsa or s ttled areas and s me cases am unt t e n half of the produ e [illegible] nts in the vast un ettl d ar ar rec vered in kind Th sy tem i fraught with many di advantage and gi ri to on t r [illegible] fri tion and strained r lations between the tenant and the la hold r In th nsettled villag (Jagir and Khalsa) the following systems are vogue —

(i) *Lat* [illegible] (division of the produce on the thr hing floor)— All t [illegible] th hars [illegible] Jand coll ted at one two or mo e pl [illegible] the villa and aft r thr hing out the landhold r s portion t k n in kind n th spot having been duly m asured or w i Oft n l ta [illegible] for month r ul in in consid rable damage th pr [illegible] and th m thod has in many places led to friction d p [illegible] tw n th landlord and tenant

(ii) *Kunta* (appraisement of th standing crop)—The same proce ing thr u n [illegible] that the landlor l s portion of th pr i tak n [illegible] r d ulation without und rgoing the proc s of m nt r m ur m nt This is an unpopular mode and is a sour fr qu t di put and fr tion

(iii) *Kankar Kut* The t tal amount of th produce of the harvest is cul t [illegible] th crops ar standing and the landhold r s portion kin l r m a h i tak n on the str n th of that calculation

(iv) *Muktas* A fix d rate p r bi ha in cash is realised from the cultiva Th se r t vary f r diff r nt kinds of produce

(v) *Gugari* — A fix l am unt of the produce in kind is received g nerally f well lan ls

(vi) *Crop or Zabt* r nt —This is r alised on maize cotton chillies and ve bles and similar money crops which are difficult of division

(iii) *Bej Gugri* —Under this system a quantity of the grain equal to the seed is realised from the tenant This is a very light rent and is generally realised on poor holdings

9 Statistics of rent levied in kind are not available Broadly speaking it may be stated that the landholder's share in unsettled Jagir areas vary from 1/11 to 1/2 in different tracts of Rajasthan In the western half of Rajasthan which is more or less sandy the share largely ranges between 1/3 and 1/4 Reliable statistics regarding the incidence of revenue in Jagir areas are not available The revenue rates vary from one group of villages to another and in certain places from village to village and possibly within the village itself Since the Jagirdars share in kind has remained the same while the prices have abnormally gone up the Jagirdars share in cash value has gone up in the same proportion as the rise in prices Wherever revenue is in kind the incidence is bound to be much higher as compared with Khalsa rates and may safely be taken to be as high as four times the incidence in Khalsa or cash rented areas in Jagirs

Madhya Bharat

10 All the areas of Madhya Bharat excepting those covered by the covenanting States of Alirajpur Mathwar and Kathiwara and a few other small areas (totalling about 2000 sq miles) have been duly surveyed and settled Every mauza has a properly drawn up map giving each plot a definite survey number The maps are mostly on 16 to a mile scale though the scale is different in some of the areas As further revision of settlement takes place scales will everywhere be made uniform Every village has also a Patwari and the Patwaris circles are all grouped into Girdawar Kanoongo circles By the Jagirdari Land Record Act the Patwaris in the jagirdari villages have now also been converted into government servant In all the villages proper village records are being maintained including Khasra Khatoni Jamabandi and Siah

11 Throughout this area proper settlements have been carried out in the past Detailed soil classification has been carried out and the soil class as well as the irrigatability of every survey number is known Settlements rates have also been fixed for the Zamindari area and for the pattedari peasants in the Ryotwari area and those for tenant The rates when fixed varied between 1/6 and 1/10 of the gross produce though in the present state of high agricultural prices the proportions are much smaller Cash rents prevail practically throughout Madhya Bharat The settlement rates have been fixed with due reference to the soil facility of irrigation facility of communication nearness to market place the condition of tenant and the agricultural prices Even in the jagirdari villages the jagirdar is bound by law not to collect at rates higher than the settlement rates Similarly in the zamindari villages the rents payable to the Zamindar are those fixed at settlement The proportion of rent payable by the Zamindar as revenue according to the law varies between 55 and 75 per cent The maximum rates of assessment are rarely imposed and at present the zamindars pay only about 50 per cent of their receipts from tenants as land revenue

12 In the settled tracts the revision of settlement has become due in many places but has had to be postponed either because of the war or the unsettled conditions following the war One of the difficulties of revising the settlement rates now is the uncertainty regarding prices The prevailing prices are extremely high and it would be very difficult to say at what level they may eventually be expected to settle down

13 The revenue demand in the Alirajpur and Mathwar States is fixed on the basis of ploughs and according to the nature of the soil in different villages An ordinary plough is expected to work about 15 bighas and the rate of land revenue varies between /8/ and Rs 2/ per bigha In the Kathiwara State the villages have been surveyed but settlement rates have not been evolved The revenue demand is fixed on the Bighota system at different rates per bigha according to the kind of soil Survey and settlement in these three States are expected soon to be taken

CHAPTER IX —TENANCY RIGHTS

Rajasthan.

1 Elsewhere we have described the condition of the peasantry in a Ra State wherein all the territory with a few exceptions in favour of particular grantee has been partitioned out amongst the Rajput clans Under the Rajputs are the cul tivating classes mainly belonging to castes or tribes who n the Rajputs overcame they took possession and who now pay land revenue to their lords or their fami living in village communities with their very few rights and privileges and being more than a rack rented peasantry That state of affairs has however been slowl modified during the last few decades with the progressive changes in the adminis tion of the States There are at present tenancy laws in all the integrating Stat except *Jaisalmer* These enactments are however very conservative in nature an at best they seek to give some kind of legal shape or sanction to prevailing custom or practices which as usual differ widely from place to place These legislations not seek to introduce any form of tenancy r form or to secure to the tenants rig which have been denied to them in the past Again no conscious attempt has been ma to bring the rights of tenants in Jagir areas on a par with those of the tenants in Khalsa or even to bestow on the tenants any rights better than what they actua possessed

2 To this general statement there are however two notable excepti namely the tenancy legislation passed by the Jaipur State in 1947 and the Jodh *tenancy legislation promulgated only a day before the formation of the Rajast* Union Both these legislations registered a considerable advance and tried to br through the conservative ideas which hitherto restrained any such advance of the important steps which these legislations undertook was to confer on Jagir tenant Khatedari or occupancy rights in respect of the lands in their occupa at the time of the passing of the legislation This was a considerable step forw since the large majority of tenants in Jagir areas could not have aspired for any [illegible] right a few years before Both legislations are useful in so far as they do consti a definite advance but they still fall short in one essential respect in that they f [illegible] bring the tenancy rights in Jagir areas exactly on the same level as in Khalsa

3 Appendix D summarises the present position in regard to the tenancy ri at present [illegible] in various parts of Rajasthan both in Khalsa and in the J areas The [illegible] makes interesting reading There is considerable diverg [illegible] the [illegible] of tenants and the nature and extent of their rights Condit for the [illegible] of rights either of inheritance or of transfer are not unif [illegible] more common and easily acquired as comp with the [illegible] Full rights of transfer are recognised in t following [illegible] in Jaipur Occupancy tenants in Bikane [illegible] Jodhpur Banswara and Kishengarh and K [illegible] Kotah All these with the exception of Khated *of T[illegible] and Bapidars of Udaipur have to pa* Nazarana [illegible] transfer The payment of Nazaran not necessarily [illegible] fulfilled for the acquisition of rights of tran nor does it [illegible] absolutely unfettered or unrestricte in each case [illegible] in Bikaner where the rule in this respect appears to be the most stringent [illegible] Khalsa must pay 16 times the revenue as premium t become an occupancy tenant and even then his right of transfer is subject to the previous consent of Government A tenant in Jagir can have no rights of occup at all

4 Another interesting fact which emerges from the Appendix is that there a number of States where the tenancy rights both in Khalsa and Jagir are the sam This state of affairs obtain in Jodhpur Kotah Banswara Dungarpur Shahp Kishengarh Bundi Tonk Jhalawar Karauli Alwar and Dholpur The princi States which have so far stood out in this respect are Bikaner Jodhpur Ud

ch are still the strongholds of the Jagirdars Jaisalmer of course stands in a s of its own

5 For the sake of facility the principal classes of tenants in Rajasthan and th ts and liabilities in each case are set out below —

Class of Tenant	Liabilities	Rights	
		Inheritance	Transfer
Pattedar Jaipur	Has to pay premium	Full	Full
... t d Jaipur	Mere occupation	Full	Mortgage for 10 ye[illegible]
Bikaner	H r h an t smu t h b o ght th land und r cultivation	Full	Nil
Jodhpur	Mere occupation	Full	Transf t t n nt or th nea t h
F t bg h	Has to pay Na n	Full	Full
B n wa		Full	Mortgage only
Sh hp		Full	Mortgage Only
Bundi		Full	Transferable with the n t n f the P nu M n t
Tonk		Full	Full
B p i r J dhp	Has to pay premium and get B p Patta	Full	Full
Udaipur	Do	Full	Full
B n wa	Do	Full	Full
G r Kh da o G r B p d s a m t nt t w ll			

6 The question of Khudkasht is of particular importance Khudkasht literally means home farm or land under the personal cultivation of the Ja ird r or the l nd holder In strict theory it mean land which the landholder may be entitled to have earmarked exclusively for his own u e and which the State would help him secure subject to certain conditions even if this should involve acquisition of land under the occupation of tenants The recent Jodhpur Tenan y La v a o u e the word Sir In some parts of Rajasthan Hawala or Halwai is the word used for lands set apart for the exclusive cultivation of the landlord

7 Time was when the probl m of Khudkasht was hardly of any importance and caus d litt e con ern to the l ndlord the ten nt or the State The l nds wh h were not occupied by any tenant were always at the dispo al of the landholder Not only this but the landlord s needs received priority over the needs of the tenant and he could always manage to ou t a tenant if he wanted to do so to g t lands for his personal cultivation The bigger landlord were al o not very keen to tak land for Khudkasht it hardly befitted their di nity nor was it so attractive from the economic point of view But conditions have now changed The tenant is no longer prepared to surrender his holding at the bidding of the landholder or in his interest and the Tenancy Laws give him protection against ejectment unle s he has rendered himself liable to ejectment by cert un specific acts of omi sion or commi sion on h i own part Again even the biggest landlords are now anxious to have as much l n l as po sible reserved for their exclusive use This is actuated by the hope that even if the Jagirs go s they migh t be permitted to retain wh atever lands they have under their own cultivation The growing craze for mech nised farming noticeabl among ome Jagirdar is to a large extent motivated by th hope And lastly the high prices of agricultur l produce h ve also ch anged the outlook of the landlord towards agriculture as a bu ine s propo ition

8 There is yet another factor also in operation A landlord who at present recovers rent in the shape of a share of the produce finds him elf faced with the introduction of cash rents and smaller the landlord the greater is h is concern in this

r spec Some of them are even likely to be left with insufficient means of tenanc and to be reduced to a position worse than that of a tenant Wherever th the case the problem of Khudkasht is bound to assume a serious aspect as it has ready occurred in the Bhomichara areas of Torawati Shekhawati and Udaip... in Jaipur

9 Where land is enough and to spare the problem of securing sufficient land the landholder as his Khudkasht need present no difficulty But the trouble really es where land is in great demand and in consequence the landholders needs can be sta[illegible] fied without ejecting or dislodging the tenant to some extent That t landlord is entitled to a reasonable area as Khudkasht will be readily recogni[sed] It is the question of appropriation of this land where he has not the requisite la already in his possession which presents difficulty

10 The Jaipur and Jodhpur Revenue and Tenancy Laws to which a previ reference has already been made contain specific provisions for the determinat and approximation of Khudkasht lands and it is interesting and useful to review th briefly

11 In Jaipur the relevant provisions on the subject of Khudkasht are to found in Section 1[illegible] of the Jaipur State Grants Land Tenures Act 1947 and t First Schedule of that Act Section 1[illegible]2 defines Khudkasht and the Schedule que[illegible] tion lays down how it is to be appropriated The Jodhpur provisions are co tained in Section [illegible] of the Marwar Tenancy Act 1949 Taken together thes pro sions throw useful light on the subject and we consider it worthwhile reproduc them in ext[enso] in Appendix E

1 [illegible] distinctive features of the provisions are as follows —

(i) The Jodhpur laws provide a sliding scale of Khudkasht land to be allo to a landholder In Jaipur there is no such scale and the area has be determined in each particular case according to the provision [illegible] clauses (a) and (b) of the First Schedule

( ) In Jodhpur the Khudkasht lands of a landholder are to be made up of-

(a) land [illegible] already under his cultivation at the commencement of the Act

(b) land which was cultivated by him for not less than 7 years during [illegible] years preceding the commencement of the Act and

(c) land [illegible] continuously cultivated by the landlord for not less t [illegible] years at any time after the commencement of the Act

(iii) But no provision is made for the appropriation of lands for allotmen Khudkasht [illegible] the land under the above categories are not sufficien [illegible] The Jaipur Act on the other hand provi for such appropriation It lays down that besides lands which [c]ulturable [illegible] the following categories of land can also be app[ropriated] to make up the full quota of the landholder s Khudkasht —

(a) [illegible] with certain exceptions

(b) Land held by [illegible] non agriculturists

(c) Land held by [illegible] Khatedars

(d) Land which [illegible] masonry well constructed by the esta [illegible] own expense whether such land is held by a Khatedar [illegible] tenant

(e) Land held by other Khatedar tenants of less than 1[illegible] years standing

13 It seems to us that the difference between the provision in the Jodhpur and Jaipur laws is largely explained by the difference in the local conditions in the two areas In Jodhpur there is generally speaking enough land available which the land holder can even now appropriate to make up his Khudkasht and so the need to make specific provision for appropriation of such land is not felt In Jaipur th

uestion of appropriation of Khudkasht is one of considerable importance in certain areas of Jaipur namely Udaipurwati Torawati and Shekhawati the problem has become a thorny and vexed question

14 The Rajasthan Government promulgated in June 1949 the Rajasthan Protection of Tenants Ordinance of 1949 with the object of safeguarding the tenant against unlawful ejectment According to this legislation all tenants who were in occupation of any land on the 1st April 1948 and who may have been dispossessed since are entitled to be reinstated to their holdings in accordance with the provisions of the Ordinance

Madhya Bharat

15 In a previous chapter mention has been made of the fact that in all the covenanting states of Madhya Bharat excepting Gwalior the Ijaradars or farmers of revenue were removed when the State Governments began to function more effectively The system of tenure in those areas then became Ryotwari The villages held by jagirdars also are throughout held by the peasants on the Ryotwari system Even in the Gwalior State the jagir villages are held on Ryotwari tenure The essence of the Ryotwari system as explained before is the engagement for the payment of land revenue by peasants of individual holdings with the government direct

16 There is a great variety in the rights enjoyed by ryotwari tenant in the different covenanting states They may however be broadly divided into four classes —

(1) Pukhta Maurusi or Malkana Haq holder who has heritable rights as well as unrestricted rights of transferring part or whole of his holding by sale or mortgage and sometimes even by bequest or gift

(2) Mamuli Maurusi or Pattedar peasant who enjoys heritable rights but whose rights of transfer are hedged round by restrictions

(3) Peasants who enjoy heritable rights but have no rights of transfer whatever

(4) Peasants who hold leases for their holdings for a fixed period of years and who enjoy neither heritable nor transferable rights

17 The number of peasants in the first category is small Pukhta Maurusi peasants are found in the Ryotwari tracts of the Gwalior State In that State the Mamuli Maurusi peasant acquires the rights of Pukhta Maurusi after 12 years of occupation or at the time of settlement if settlement takes place before the expiry of the period of 12 years In other parts of Madhya Bharat such peasants are called Malkana Haq holders and sometimes even Istimrardars They are found in Dewas Senior Dewas Junior Rajgarh Narsinghgarh Ratlam Jaora and Sitamau Some years ago in these states ordinary Pattedar tenants were allowed to acquire Malkana Haq on the payment of certain nazarana to the State

18 The bulk of the peasants in the Ryotwari tracts fall in the second category of Mamuli Maurusi which is the term employed in the Gwalior State or Pattedars which is the term employed in the Indore State In the Gwalior State the peasant could not transfer his land without the permission of the government or the assignee of the village In the Indore State previous permission of the Collector of the district was required for transfer In the Indore State transfer was allowed only by sale to another bonafide agriculturist This restriction did not apply in the other areas of Madhya Bharat In most of the smaller states permission of the government was necessary to such transfer Most lands allotted to new peasants are also given out under this tenure

19 It is only in some of the smaller States like Sitamau Piploda Alirajpur Jhabua and Rajgarh that tenants of the third category are found The number of peasants in the last category is also extremely small

0 After the formation of Madhya Bharat attempts have been made to unify and rationalise the land revenue and tenancy laws in the Ryotwari villages The land revenue and tenancy ordinance was passed early in 1949 By this the number of classes of Ryotwari peasants was reduced to two All peasants who had rights less than those of Mamuli Maurusi or Pattedar peasants were given Pattedari rights who have formed the main bulk of the peasantry in the ryotwari areas Those who had formerly Pukhta Maurusi or Malkana Haq were left undisturbed because they had rights superior to those of Pattedar tenants The policy of the government is now to let out all future leases on the Pattedari tenure No Pukhta Maurusi rights will be allowed to accrue in the future Certain other reforms were also brought about by this ordinance The Madhya Bharat legislature has also recently passed the Land Revenue and Tenancy Act which further consolidates the position in the Ryotwari areas Even the Pukhta Maurusi tenure has been abolished and practically all tenants have been brought to the level of Pattedars The new Ryotwari law also introduces certain restrictions on transfer of leases to enable more holdings of an economic size being created in the future

1 The tenants in the zamindari areas are of three types —

(1) Pukhta Maurusi
(2) Mamuli Maurusi and
(3) Gair Maurusi

The Pukhta Maurusi tenant has unrestricted rights of transfer in addition to heritable rights The Mamuli Maurusi tenant has only heritable but no transferable right The Gair Maurusi tenant has neither the right of inheritance nor transfer Usually a tenant first admitted to a holding in the zamindari area starts with Gair Maurusi right After 12 years he automatically becomes a Mamuli Maurusi tenant After another [illegible] years he becomes a Pukhta Maurusi tenant The acquisition of superior rights can however be accelerated with the consent of the zamindar who for giving such [illegible] usually takes a nazarana

The [illegible] rights [illegible] classes of ryots and tenants in the Ryotwari and Zamindari [illegible] set forth in detail in Appendix F

3 [illegible] have [illegible] enjoyed the right both in Ryotwari and the zamindari [illegible] to sublet their land The Pattedari tenant in the Indore State could sublet his land only for agricultural purposes and not otherwise In other parts of Madhya Bharat the Mamuli Maurusi or Pattedar peasant could freely sublet his land [illegible] determined by the terms of the sublease In the Zamindari areas the Pukhta Maurusi Mamuli Maurusi or even Gair Maurusi tenant could sublet his land freely All the [illegible] tenants could hold it until the expiry of the period of sublease [illegible] in the Gwalior tenancy act the sub tenants were also protected from ejectment [illegible] grounds of non payment of rent or breach of certain other conditions In the [illegible] tenancy act passed for the Ryotwari areas severe restrictions have been [illegible] subletting

CHAPTER X —FUTURE OF JAGIRS

1 We have attempted to give according to the material available or accessible to us some of the essential features of the Jagir system in Rajasthan and Madhya Bharat We propose now to deal with the future of that system

2 We have shown that the Jagir as an institution has existed in India for many centuries One attribute of it which merits particular attention is its impermanence In the Moslem period the Assignee was the holder of an office The Moslem Rulers set their face against any claim to make the assignment heritable They always insisted on a clear distinction between private property distributed according to the law of inheritance and public offices and assignments in which no vested or contingent right accrued

3 The Mahratta Princes did not allow permanent alienation of revenue As Malcolm observed these have not forgotten that their own titles originated in mere temporary grants and they have great reluctance to give Sunnuds or deeds of a contrary nature Little respect has been shown by the descendants of the first Mahratta Princes of Central India to the Sunnuds of the Emperors of Delhi except to those held by Zamindars and hereditary officers with whose services in the ordinary management of the country they could not dispense but though their very free lands and immunities were preserved their authority has been much limited

4 Land held as a freehold on Bhum tenure by the Rajput Bhumia is always cherished as a better title amongst the Rajputs in Rajasthan than either the larger Jagir or the assignments given by the Clan Chief to his clansmen because the latter are liable to be resumed either by the Ruler or the smaller chief

5 There never was or has been any immutability about the Jagir system The principle of resumption must be deemed to be inherent in it Interferences in Jagir rights were not uncommon under the Hindu Rulers In Rajasthan Jagir rights have suffered in the past under the acquisitive instincts of the Rulers notably in eastern Rajasthan It all depended whether the Rulers were strong or weak The clan organisation undoubtedly put some kind of a constitutional check on wholesale expropriation of Jagir rights

6 The apparent stability of the Jagirs in In primarily due to the protection enjoyed under P the British interposed their authority between th their suzerain Darbars in Madhya Bharat and n separate identity of the states The propriet look up to the British for protection Under th retical views of Tod and Elphinstone the Briti was some kind of a federal structure in a Rajp divided between the Ruler and his clansmen their views the British Government were not ar be unduly interfered with by the Ruler

7 The modernisation of State administratio interests of feudal organisation As the Rulers centralised it tended to curtail the powers of inevitable corollary to progressive administrat Madhya Bharat have been gradually assimilate during the last few decades but as conservat reign in the States of Rajasthan the Jagirdars tl the integration of their area with the rest of t fought for the preservation of their feudal interes State to preserve it intact for them

unrestricted right of property over the Jagir So long a the Jagir is in his session he is no doubt entitled to the income from it

14 The position that the Jagirdar finds himself in today is that of an Assignee thout any of the other attributes which gave him his original status as a Jagirdar e residuum which is now left to him is what is termed as his proprietary right collect revenue from his tenants and his obligation to pay certain tributes which ve been fixed long ago as a political settlement If the position of a Jagirdar ere to be stabilised by Government he will have to be given the rights of a landlord d property rights created in his favour somewhat analogous to that of a Zamindar other parts of India This would be the natural course of evolution of the status a Jagirdar if he is to be left intact with his present right over the land The ly possible way in which the Jagirdari system can survive in an altered form is in me modified form of landlordism

15 Here the Governments will be faced with the question of maintaining the ndlord s interests as against the rights of the peasant proprietor Will a Jagirdar s position as a rent receiver remain unaffected and untouched when throughout the country the idea is being vigorously asserted and propagated that on agricultural land there can be no unearned income ? In any case it would be impossible to confer on an Assignee the rights of a landlord when throughout the centuries of his existence he had no such rights Any attempt to convert the Jagirdari system into some form of landlordism would be considered a most retrograde step It must be stated without hesitation that there are no means by which the Jagir system can be continued under a democratic form of Government The truth is *that the system has been in a slow process of disintegration for several decades* and there are no stays which could possibly support it

16 This conclusion is not based on any hostility to the Jagirdars as a class At a stage when institutions become archaic certain undesirable elements to inevitably creep in but that does not condemn any class or body of men The Jagirdars will now have to look to the future and not to the past There is little thing about the past of which the best among them may be *shamed there are many things* about it which they as patriotic Indians have every reason to be proud of What need concern them in the future is not so much their rights or privileges but the manner and method by which they should adjust themselves in the fast changing conditions of there social and political environment Our recommendations which follow in a subsequent chapter are influenced by the consideration of rehabilitating them over a period of year so that the change may be carried out in a manner which would cause as little distress as the changing circumstances will permit Rapid and radical changes are not without their pangs of distress and suffering but they can surely be tempered by sympathetic consideration understanding and fair minded measures *The process of rehabilitation of the Jagirdars in the* next one or two decades will depend upon their willingness to give up their privileges and privileged position in the higher interests of the country and in a spirit of patriotism *as the Somurais did in Japan and the assistance which the Government may* give in bringing about readjustments and extending them a helping hand

CHAPTER XI —ABOLITION OF JAGIRS

1 For some time past now there has been a widespread demand for the abolition of all types of intermediaries on land The regressive character of the system has often been attacked and condemned What is the thing that satisfactory answer can be found to the problem of jagirs and condemn the economic and the lot of individual jagirdars or expounds the inequities of the jagirdars at large The jagir system has to be examined as an institution We have to consider the utility or otherwise of such an institution in the frame work of modern democratic state which we are building up in India We shall have in particular to examine whether any agrarian economic or social advantages flow from the existence or perpetuation of jagir as an institution

2 We believe that no one in India today would advocate the creation of jagirs in the future We cannot contemplate the assignment of taxes or revenue due to the state to persons in the future for services to be rendered or as reward for services already rendered by them No one for example would advocate to that Ministers or high functionaries of the state or army commanders be given an assignment of state revenues for services rendered by them We must have entirely different methods of remunerating such services

3 Even the continuation of assignments held as rewards for service rendered in the past cannot be justified because such jagirs have lasted so long that the services have been already adequately recouped and in any case we cannot countenance the existence of an entirely outmoded system which is fundamentally out of place under the present day conditions The revenues and taxes due to state should be collected direct by the state and not be alienated to other persons The old intermediary relationship between the sovereign or government on the one hand and the tiller of the soil on the other should be restored by the elimination of the intermediaries To give the property of the land and the contentment that it brings to the cultivator ... If it has become absolutely necessary that he should be ... the fruit of his labour subject only to the payment of revenue or tax to the government which he has to pay The existence of a class of persons who contribute ... production from the land and who merely intercept a share of the national dividend cannot be justified The Jagirdars ... that by providing taxes and other forms of credit to the peasants when in difficulty and by ... in ... of farming they do in fact contribute to the prosperity of the land The functions which they claim to perform are those which ... community as a whole or the state or government are expected to perform and in fact should perform

4 The conclusion that the further continuance of the jagir system is unjust and that the jagirdars should be dispossessed of their rights naturally leads to the question as to whether they are entitled to any compensation This is intimately linked up with the question of the nature of the jagir rights and in particular to how far it partakes of the nature of property right Neither during the Hindu nor the Moslem period was any *property right as such in relation to land recognised* by custom or law The tiller of the soil the farmer or the assignee and the king all these possessed certain bundles of rights and obligations towards land The idea of property in land however was quite foreign to Indian conception It was only the British who first entered into an examination of this new problem of property in land Those British conceptions as previously indicated are inapplicable to the Indian States in Malwa and Rajasthan If any proprietary rights in land have ever been asserted it has only been so in Madhya Bharat during recent times where the Mahratta Rulers as overlords have claimed to be proprietors of the soil The jagirdari manuals in Gwalior and Indore which consolidate the present position in regard to jagirdars clearly lay down a distinction between jagirdari rights and the rights of proprietors as such

5 There are other customs in force which clearly distinguish between jagirdari rights and proprietary rights Jagirdari rights have always been understood to be resumable at the will of the ruler Jagir rights have never been governed by the Hindu law of Mitakshara which applies to the property of a Hindu For example a jagirdar could not pass on his jagir to an adopted son unless such adoption was made with the prior permission of the ruler and in most cases unless a nazarana was paid for the recognition of such adoption Such restrictions do not apply to the inheritance by adoption of other forms of property Secondly jagirs are usually held under a sanad or other explicit or implied grant and are never partible The rule of primogeniture and the rule of impartibility applicable to jagirs clearly distinguish them from forms of property Again the rights in a jagir are not transferable at the will of the jagirdar There may have been occasional instances where the ruler may have permitted a financially embarrassed jagirdar to mortgage a portion of his jagir but there is no case known of such mortgages having been foreclosed There is no instance known either of jagirs having been transferred to other persons for valuable consideration or by bequest or gift The inference is clear that jagirs (embracing in that term all forms of assignments) are not the property of the jagirdars

6 If the jagir system is abolished jagirdars would not be entitled to any compensation on the ground of the jagirs being private property *This is not however* to say that we recommend an outright abolition of jagir right without due regard and consideration of the assistance which should in such an event be given to the jagirdar Even though jagirs are not property we have to *bear in mind* that these rights which have in many cases been enjoyed for centuries have acquired around them an accretion of rights by long custom and prescription which are entitled to due recognition It has to be recognised that the *Jagirdars form* an important part of society No social or economic reform can contemplate the turning adrift of any part or class of society The Jagirdars as a class have long depended for their livelihood and sustenance on the revenues derived *from their land* and the mere abolition of the jagir system and the deprivation of the rights of jagirdars without consequential arrangement will cause widespread distress and dislocation In the event of the abolition of the jagir system therefore *it would* be the duty of the State to ensure that the jagirdars are enabled to rehabilitate themselves Such rehabilitation will necessarily involve some time and during that period the jagirdars must be given assistance from Government

7 In considering the practical measures for dealing with Jagirdars on the abolition of their jagirs it may be convenient to divide *the* grantees into three distinct classes These distinctions will not however be according to the historical origin of the jagirs but according to the existing condition of the jagir In the first category we would put jagirs consisting of *one or* more entire Mauzas or villages In the second category we would put assignments of small parcels of land consisting of holdings either in one village or scattered over more than one village This distinction is necessary both for administrative and economic reasons From the administrative point of view the problems which revenue reform in entire mauzas present are distinct from those presented by small and dispersed holdings Economically too the jagirdar of one or more entire villages is in a very different group from the assignee of small holdings It is also of importance to note that in the leading States of Madhya Bharat this distinction is clearly made for purposes of regulating the rights and privileges of assignees *In the* third category we would put all jagirs or assignments whether consisting of entire mauzas or of holdings the revenues of which are dedicated for the maintenance of a temple or other religious or charitable institution This class has to be placed apart because the considerations which apply to temples or institutions are very different from those which apply to the economic life of individuals

8 We shall first consider the class of jagirdars who hold one or more villages We consider that a period of *1 years* should be allowed to the jag

to enable them to adjust themselves to the new conditions. During this period they should be allowed certain financial assistance out of the revenues of the State.

9. In devising a formula fixing the share of the amount which a jagirdar should receive from the State, considerations of social justice require that the smaller and the poorer jagirdar should be dealt with more liberally than the bigger and the richer jagirdar. The principle of distributing the national burden in a progressively increasing manner as between persons of lower income groups and persons of higher income groups is now well recognised. The same principle should in our view be applicable in the treatment of jagirdars of different income groups. In working out a progressively increasing scale of the share to be kept by the State and the progressively decreasing scale of the amount to be paid to the jagirdar, we also consider that the slab system is preferable to the step system as being more fair. We accordingly recommend the following scale of payment to the jagirdar for 1? years —

	Slabs of income (Rupees)	Proportion to be retained by State (in annas per Rupee)	Proportion to be paid to the Jagirdar (in annas per Rupee)
The first	3 000	Nil	/16
Next	[illegible] 000	[illegible]	/14
Next	5 000	/4	/1[illegible]
Next	10 000	/6	/10
Next	30 000	8/	/8
Next	50 000	/10	[illegible]
and of the	Remainder		/4

10. We have given anxious thought to the question of the khudkasht land of the jagirdars. We have no exact figures to show the extent of khudkasht holdings of jagirdars but we presume a good number of them have some land delineated as their khudkasht. In certain parts of Rajasthan khudkasht land goes under the name of Sir. The essential difference between Sir and khudkasht as it is understood in North India is that Sir is the special home land of the landlord in which no tenancy rights ever accrue, whereas khudkasht land is merely any land under the cultivation of the landlord in which however if tenants are admitted tenancy rights also accrue by the normal operation of law. This distinction appears to be blurred in Rajasthan, while in Madhya Bharat Sir as such exists hardly at all. In the future set up there should not be two classes, Sir and khudkasht, but that all land under the direct cultivation of the landlord or the jagirdar with his own bullocks and implements through hired labour should be classed as his khudkasht. Tenants if admitted to such lands will however be entitled to such tenancy rights as accrue to them under the operation of the law.

11. Where a landlord or jagirdar himself has a farm or khudkasht of his own, his attachment to the land and his right to cultivate that land himself ought to be respected. In fact in some of the more sparsely populated areas of Madhya Bharat and Rajasthan the bigger landlords should be encouraged to create large farms for themselves out of fallow land. The landlord on the other hand should not be encouraged to keep large areas of land nominally shown as his khudkasht

ely to enable him to retain in a different way lands which he ought to part with We therefore recommend that a jagirdar be allowed to keep as his khud ht—

(a) all land which he at present cultivates with his own cattle implements and hired labour and

(b) other land which he may acquire as khudkasht up to a maximum limit to be prescribed as suitable for each area subject to the strict and invariable condition that he is not to add to his khudka ht any land which is held by a tenant or ryot of whatsoever class he may be

The intention is to permit jagirdars not only to continue to hold their pre ent udka ht but also to extend it reasonably What the reasonable maximum extent such khudkasht should be will naturally vary according to the fertility of the soil e nature of the country and other conditions No definite acreage can therefore e set down for the whole of Rajasthan and Madhya Bharat as a part of our recommen ation The reasonable maximum size of a khudkasht holding will have to be de rmined by the settlement officer or the revenue department or a land tribunal if he such is set up

12 We also desire to state that in the future such khudkasht should be liable o the assessment of Government revenue at settlement rates in the same way as ll other land may be There is no justification for any privileged class of persons olding or cultivating land free of the obligation to pay the state its share of revenue

13 We now come to the consideration of the second class of jagirdars namely hose who do not hold entire villages but only scattered holdings in villages We appreciate that even in this group there may be a few whose aggregate holdings or whose income may be larger than that of a jagirdar of one or two very small villages Such border line cases are likely to be few and taken by and large the classification we have made does divide the jagirdars into different economic groups In any case for reasons of administrative convenience it is necessary to treat thi class apart

14 In Rajasthan the bulk of such holding as ignments consist of—

(a) holdings which have been allotted by bigger jagirdars for the maintenance of the cadets of their familie Bhumias and Bhum holdings and

(b) holdings created by the extreme fragmentation of jagirs where the law of primogeniture is not observed

Sub infeudation which gives ri e to class (a) is practically unknown in Madhya Bharat where again there are practically no jagirs which are not gov rned by the law of primogeniture Included in the same category though very diff rent in their origin are the holdings of assignee of the class of Muafidar Dharmadays Sasans etc that is to say grants of mall parcels of land made to different classes of persons either for charitable purpo e or in recognition of ervices r the humbler walks of life

15 From the economic point of view this class small assignees holding only a f w acres of land are littl better off t do holding of the sub assignee plot proprietor or free ho holding of the sub assignee plot proprietor or free ho much greater th n that of the holding of a well to with it the prestige of being an assignment and the l nd revenue The attachment of this class of a free holder to the lan l is very great The number is not exactly known but it is probably of the order while in M dhya Bharat the number of uch hol seven thousand

16 We have stated above that the economic c as i nc s is hardly better than that of the superior c

the point of view of agrarian reform therefore there is not that imperative need for the abolition of such assignments as there is in the case of the larger jagirdars. The bulk of the plot holders live on the land and cultivate parcels of land themselves. We consider that this class of people well rooted in the soil should not be necessarily disturbed. In fact to dispossess them will only mean uprooting a large number of genuine cultivators of the soil without any recompense in the form of social or economic reform. All that appears necessary in this class of holdings ... is to remove two of the defects associated with that system.

1 Th[illegible] sub assignee or the Muafidar or plot proprietor though he cultivates part of the land himself also sub lets quite a part of his holding to other [illegible]. These other peasants or sub tenants have no security of tenure. They can be evicted at the will of the superior proprietor from whom they hold the land. This is the first of the two defects referred to above which have to be rectified. Following the principle of eliminating an intermediary in any form it is necessary that these tenants should be granted full protection against eviction. In the fixation of rents payable by them they should also have the advantage of the rates fixed by the Settlement Officers. They should in our view for a period of about 1_ years be liable to pay rents not more than _0 per cent in excess of that fixed in the settlement rates for a tenant in chief. The relevance of the period of 1_ years [illegible] reference to the recommendations below where we have suggested that these tenants of the small assignments should also be made tenants with full rights holding direct from the State after a period of 1_ years.

18 The free hold character of the land held by these small assignees will also have to disappear. There can be no room for any privileged class of persons exempt from the payment of the share due to the state. The aim should be to bring the small holding assignees to the level of other peasants by imposing on them the obligation to pay land revenue to the state.

19 The small assignees should in the future have the same rights of letting out their land to sub tenants as other pattedar or khatedar tenants have. Where this class of assignee is disabled by virtue of being a minor or woman or blind person or a lunatic from cultivating his or her land, sub letting should be permitted subject to the right to evict the sub tenant whenever he may want the land back for his own cultivation but not for letting it out to other tenants. Similarly those among this class of proprietors who enlist in the army should be permitted to sublet their lands for the period during which they remain so enlisted with the right of evicting the sub tenant and resuming cultivation on return from the army. Such ex enlisted soldiers should however not be allowed to evict sub tenants merely in order to give the land to some other sub tenant. We were somewhat disappointed to note that such provision has not been made in the Marwar Tenancy Laws with the result that returning soldiers find it impossible to resume their cultivation. We would suggest that the provision for the security of tenure of sub tenants be made in the unified laws for Rajasthan.

_0 The practical measure we suggest therefore for the sub assignees muafidars free tenure holders and all other assignees of holdings [illegible]—

(a) that they be permitte[illegible] they cultivate the[illegible]

(b) that their tenant[illegible] b[illegible] ject to the condit[illegible]

The tenants of these small assign[illegible] with full rights holding direct f[illegible] in his turn have to become a p[illegible] khudkasht. The deprivation of [illegible] for the decrease in their income [illegible] kasht to land revenue necessar[illegible] opportunity during a period of [illegible]

period of 12 years has been allowed to the larger jagirdars to stand on their own
The total income from the small assignment therefore including the usufruct of khudkasht and the rents payable by sub tenants in that holding will have to be in its entirety for a period of 12 years to the assignee At the end of 12 years sub tenant will become a full tenant subject to the payment of land revenue at settlement rates and the smaller assignee will be confined to his khudkasht which will also then be assessed to land revenue at settlement rates in the same way the khudkasht of the bigger jagirdar The usufruct of his *khudkasht free of revenue for the next 12 years* and the mesne profits of land let out to tenants for a period of 12 years will constitute the rehabilitation assistance allowed to class of small assignees

91 We now come to the third category namely that of assignments created endowments for the upkeep and maintenance of temples and other religious and charitable institution So far as the purely agrarian or land revenue aspect of such assignments is concerned exactly the same considerations as those apply to other kinds of assignments hold good There is the same reason for the abolition of larger endowment jagir for the confirmation of the jagirdar or the muafidar a peasant with full rights in his khudkasht area and for full protection being given to other tenants to whom lands in such assignments have been let out There is also an additional reason for assimilating these assignments to the khalsa area that in many cases the assignee is not devoting the revenues of the assignment fully or properly to the purposes or objects for which the endowment was created The treatment of such assignments on the lines recommended for assignments of the other two classes will however create a void for which provision has to be made The void will be created by the temples and religious institutions being deprived of the endowments on which they depend largely for their upkeep Some of these institutions are of considerable antiquity and are held in great reverence The appropriation of the revenues of such assignments by the state will offend public sentiments Provision will therefore be necessary for the maintenance of these endowments in some form or other

92 We would suggest the setting up of *statutory religious and charitable endowment boards in Rajasthan and Madhya Bharat* to whose care all institutions now dependent on such assignments may be committed The boards created should be statutory in order to give the public greater confidence and a greater voice in their working Subject to the creation of such endowment boards we recommend the treatment of the assignments in the third category on exactly the same lines as those recommended for other assignments The income derived from these assignments at present will have to be estimated and a sum equal to this income will have to be placed at the disposal of the endowment board for the management of the institutions entrusted to them This will we hope lead to better management of the temples and other institutions and to the utilisation of the income of the endowments to better public advantage

93 We may sum up the foregoing recommendations by stating that broadly we divide the jagirdars into two groups namely those who are proprietors of one or more villages and those who are proprietors of holdings The former group may be called the principal assignees This class will include almost all the jagirdars who hold their jagir either by sanad grant patta or some similar instrument but it is possible there may be some proportion of them who may not be holding under any such formal document

94 Our recommendations in paragraph 9 apply to the principal assignees only

95 The other group of smaller assignees will not be disturbed from their position on the land and will be entitled to receive their income either from their own land or from their sub tenant for a period of 12 years Consequently when the jagirs of the principal assignees are taken over any class of persons who belong to

second category will remain on their land and will not be dispossessed A record of rights for them will have to be prepared and their status and rights will be determined in the manner proposed in para 20

26 In Madhya Bharat the gross receipts will have to be calculated on the revenues derived from the average of the payment according to settlement rates from the cultivated area (excluding khudkasht) during the three agricultural years preceding the year of the abolition of the jagir All tanka or tribute (including the on the jadid usool) will have to be ignored in the calculation of the gross receipts and the share payable to the jagirdar should be quite regardless of the tankas paid by him in the past to government The tankas fixed in the past bear no relation to the income of the jagirs and are based on no scientific principles It would only be fair in considering the assistance to be rendered to the jagirdar to ignore those tankas and to proceed on the basis of the actual revenue of his estate This may result in some of the jagirs of the jadid usool in Madhya Bharat deriving larger income than they have hitherto but this is only fair particularly as the net amounts payable to the jagirdars are being calculated on bases entirely different from those on which tankas were fixed in the past In Appendix C is given a statement showing the classification of the jagirdars in Madhya Bharat according to different income groups There are 1329 jagirs of this class in Madhya Bharat deriving a total revenue of Rs 73 87 lakhs of which the jagirdars pay to the government a total of Rs 11 87 lakhs as tanka or tribute According to the scale recommended by us for the next 12 years the share accruing to the state from the income of these assigned areas will be about Rs 15 lakhs

27 The above remarks apply to Rajasthan and tributes such as Rekh Chakri etc should be ignored in calculating the gross receipts In Rajasthan only in the settled jagir areas will it be possible to calculate the gross receipts of revenue derived from the average of the three agricultural years preceding the year of abolition The formula cannot therefore be applied to most of the jagir areas where in respect of the year in which a jagir is taken over the amount to be paid to the jagirdar may have to be based on a rough calculation In the subsequent year the amount estimated will have to be revised and the amount fixed with reference to such revised data

28 A sum called the basic annual sum will therefore have to be determined in the case of a jagir and the Jagirdar s Share shall be paid according to the scale recommended

CHAPTER XII.—ABOLITION OF ZAMINDARI RIGHTS

1 In considering the problem of Zamindari in Madhya Bharat and Rajasthan e Committee have had the advantage of having before them the reports of the amindari Abolition Committees of the United Provinces Bihar and Madras hey have also had the advantage of observing the measures taken by those provincial governments in respect of Zamindari in their areas The Government of Madhya Bharat had also independently of this Committee appointed their own amindari Abolition Committee That Committee has recently reported to the adhya Bharat Government and we have perused its report

All provincial governments which have tackled the problem of Zamindari ave come to the conclusion that the Zamindari system must be abolished The adhya Bharat Committee has also reported in favour of abolition In these conditions it is hardly necessary to elaborate or reiterate the arguments for the abolition of Zamindari in Madhya Bharat and Rajasthan The Zamindari problem is more pronounced in Madhya Bharat and exists only in very small areas in Rajasthan The Zamindari is of recent growth in both the areas It has been of recent creation under fortuitous circumstances The Government of Gwalior instead of recognising and confirming the farmers of revenue may easily have taken a decision on the lines of the other Mahratta States in Malwa where such revenue farms were extinguished In Rajasthan a modified form of Zamindari exists and is largely a creation out of the bias of certain settlement officers

3 The economic and social arguments for the abolition of Jagirdari apply *a fortiori* for the abolition of Zamindari It is hardly necessary to recapitulate the arguments in favour of such abolition which have been expounded at length in the course of so many enquiries in recent year The fundamental principle is that the tiller of the soil should be entitled to the fruit of his labour subject only to the payment of the share due to the State and without the interposition of intermediaries

4 As in the case of jagirs the question arises as to how far Zamindari rights in Madhya Bharat and Rajasthan partake of the nature of property rights We have previously dealt at length with the nature of property right in the different period — Hindu Muslim British and their applicability to Indian States where the laws have never recognised full property rights over the soil as being vested in the Zamindar We recognise that Zamindari in Central India and Rajasthan was created on the analogy of the Zamindari system in North India We also recognise that during the recent past the Zamindars have obtained all the rights of user and disposal which the Zamindars in the U P possess We further appreciate that these Zamindars have enjoyed the right of transfer by way of mortgage sale bequest and gift and also that there are among the present Zamindars a class of persons who have acquired these rights for valuable consideration Inspite however of all this it has to be remembered that the Zamindari system in Madhya Bharat and Rajasthan is of recent growth and that the legal concepts relating to Zamindari rights in Bengal and U P have never been extended in their entirety to these areas In fact as pointed out before in the leading Mahratta States the theory was evolved that the property rights of the soil vest in the Maharaja We do not therefore consider that the Zamindars in these tracts enjoy property rights of a nature which entitle them to compensation as such

5 Zamindars cannot like Jagirdars be divided into Zamindars of entire villages or Zamindars of plot holdings It is of the essence of the Zamindari system that the engagement for the payment of revenue is made for a Mouza or a Mahal as a whole The engagement may be by a single Zamindar or a body of proprietors but in dealing with Zamindari it is necessary to deal with the Mouza or Mahal as a whole If the Zamindari system has to go it has to be eliminated from all the villages wherein the Zamindars of those villages are single individuals or groups of persons ... ing the measure of rehabilitation assistance to be rendered due regard

have to be paid to the different economic groups into which Zamindars may fall The argument for making a distinction between the rich Zamindar and the poor Zamindar on a progressively increasing or decreasing scale holds good as much as in the case of the Jagirdars

6 In regard to the assessment of the rehabilitation assistance to be rendered to the Zamindars in lieu of the abolition of their rights two problems arise namely —

(a) the mode of determining the scale of payment and

(b) the mode of financing the assistance

These two problems are discussed in the report of the Zamindari Abolition Committee of Madhya Bharat and it would be useful to consider these questions here with reference to the recommendations of that Committee

7 The Committee propose that the proportion of the compensation to the income of the Zamindar should progressively decrease with the increase in the income of the Zamindar and that the net profits of a Zamindar should be calculated on the basis of the gross income minus a 10 per cent deduction for the cost of collection and short collections and minus the land revenue and cesses payable by the Zamindar to the Government That Committee have however entered into an examination of the effect on the net profits of the period which has elapsed since the last settlement. We are unfortunately unable to agree that such consideration be given in the calculation of net profits because we think that that Committee has proceeded on the popular assumption that settlements are undertaken from time to time mainly with a view to enhancing the land revenue The assessment of land revenue at successive settlements has in the past shown an increase with the increasing development of th[e] country and the rise in prices More recently however most cultivated parts o[f] India have reached a stage where further enhancement of revenue is no[t] inevitable In fact now revenue assessment is much more dependent on th[e] price level than on anything else The level of rents of new leases in the period 193[0] to 1939 was much lower than that in the period 1920 to 1929 because of the worl[d] wide slump in prices which occurred after 1930 If revision of settlement take[s] place with reference to low level of prices there is no reason at all why enhancemen[t] of land revenue should be expected except for such other reasons as extension o[f] cultivation or increase in irrigation facilities We do not therefore consider tha[t] there is any need to go into the question of the period which has elapsed since th[e] last settlement The net profits of a Zamindar worked out without this considera[-] tion should be as good a guide as any other

8 We agree with the Madhya Bharat Committee that the amount of the re[-] habilitation grant should be expressed as a multiple of the net profits That Com[-] mittee have however recommended the classification of Zamindars according to th[e] revenue assessed on them We are unable to appreciate the reasons for this I[t] would be much more scientific in our view to classify the Zamindars as we hav[e] recommended in the case of Jagirdars according to their income groups and no[t] according to the land revenue paying groups We would also recommend the sla[b] system instead of the step system with marginal adjustments recommended by th[e] Madhya Bharat Committee For the rest we would be willing to follow the line[s] indicated by the Madhya Bharat Committee and suggest the following scale o[f] assistance —

	Slabs of income	Multiple payable to the Zamindar
First	100	20 times
Next	400	17
Next	1 500	15
Next	1 [illegible]00	1[illegible]
Next	1 500	10
	Remainder	8

9 The Madhya Bharat Committee have estimated that th cost of the abolition ne Zamindari in that State would amount to about Rs 10 crores As the average of assessment of Land Revenue in the Zamindari area of Madhya Bharat is the e timate of the cost of abolition will be the same under the scale of a is e proposed by us They have suggested that in order to meet a part of this the U P scheme of collecting a Zamindari Abolition Fund from the tenants adopted They have recommended the collection of thre times the annual t from Pukhta Mauru i tenants ix times from the Mamuli Mauru i tenants t mes from the Gair Mauru i tenants and fifteen times from sub tenants They mate that if all tenants in the Zamindari area pay up these amounts for the ac ition of certain rights and for the reduction of rent the total sum collected uld amount to about Rs 5 crores They are however not quite confident that tenants would take advantage of these terms if offered and have therefore ted that it is more likely that a sum of only about Rs 3 crores may be pos ible collect This would impo e on the Government of Madhya Bharat the burden finding about Rs 7 cr res The Committee have further suggested that only part the payment of compensation be made in cash and that the remainder be given in form of Government bonds in order to prevent inflation and to spread out the bility of the Government over a period of years

10 We regret very much that we are unable to endor e some of the principal commendations of the Madhya Bharat Zamindari Abolition Committee hat Committee recommend that on payment of the sums indicated by the tenants various clas es they should be given Pukhta Maurusi right It is not clear how sub tenant and the tenant in chief can both acquire Pukhta Maurusi rights the same piece of land by each paying the amount fixed for him Moreover ith the abolition of Zamindari and Jagirdari it is highly desirable that the rights tenants throughout the State be placed on an equal footing It will be agreed at once the intermediaries are removed the relation of the ryot with the Govern ent should throughout be the same In the recommendations we make in sub equent chapters we propose that the right of the ryot to transfer his land be suitably estricted In fact the Madhya Bharat Government themselves in their recent enancy legislation have put such restrictions on the rights of transfer of peasants the Ryotwari area It would not be desirable to create Pukhta Mauru i rights n favour of all the tenants in the Zamindari area and to create only Mamuli Maurusi ights in the Ryotwari area of Madhya Bharat We are al o of the vie that the erms offered to tenants in the Zamindari area in return for the payment demanded rom them will not prove attractive to those tenants The bulk of the tenants in he Zamindari area in Madhya Bharat even today enjoy heritable rights The verage peasant is not much interested in acquiring rights of transfer particularly n a period of high prices when he is well off and does not need to mortgage or sell his holding to raise money We are of the vi w therefore that if an attempt is made to collect money from the tenants in a widespread drive of the kind contemplated the attempt will not meet with any substantial success We do not therefore recommend such a course of action

11 The Madhya Bharat Committe have not made any estimate of the total amount which would be payable in ca h in addition to the issue of bonds It is safe to assume however that the sum payable in cash will run into a f w crores The payment of such a sum ill certainly aggravate the inflationary cond tions in the country In our view even the p yment of a crore or two crores of rupees would place an intolerable b rden on the financial re ources of the Madhya Bharat Government In the present state of economic cri is and the imperative need to check inflation by all mean possible we cannot support this line of action

12 The issue of bonds as recommended by the Madhya Bharat Committe does not amount to savings It amounts merely to the acknowledgment of a li lity created now to be rede me l after a fe years It will be almost im for the Madhya Bharat Go ernment later to find the money to redeem

We are on the whole therefore unable to agree with the means recommended by the Madhya Bharat Committee for financing the scheme of Zamindari abolition.

13 We consider that the approach to the financial aspect of Zamindari abolition should be totally different We shall have to find the means for the liquidation of the system within the system itself In our view the Zamindari system should be abolished by legislation forthwith and the villages converted into the Ryotwari system the collection of rents from the tenants can then be made through village Patels to be appointed and the collections deposited in the treasury as in the Ryotwari villages We would not however recommend the reduction of the rent of any of the tenants in the Zamindari area for the present Any increase in the rights of peasants in those villages can be granted without calling upon the tenants to pay any sum for the acquisition of those rights In a period of high prevailing prices and inflation and particularly in the present circumstances of India there is no justification whatever for reducing the burden on the primary agricultural entrepreneur namely the cultivator of the land In fact the present level of prices would actually justify the imposition of much increased burdens on the tenant so long as the high prices last We would for these reasons suggest that *the whole of the rent at present paid by the tenants to Zamindars should be* made payable to the Government At present the gross rental and other income of the Zamindari villages of Madhya Bharat is estimated to be Rs 1 [illegible] crores Of this the Zamindars pay the Government in the shape of land revenue a total sum of Rs 1 00 crore intercepting as their own income sum of Rs 0 [illegible] crore The actual assessment today stands at just a little over [illegible] per cent If all the rents payable by tenants to the Zamindars become payable to the Government Government's revenue from the Zamindari villages will go up to Rs 1 99 crores On the other hand we shall have to make allowance for the increased cost of collection involved in collecting from all the tenants direct If the cost of collection is put at about ½ per cent of the total demand it would amount to Rs 15 lakhs that is to say the Government may have to incur an annual expenditure of Rs 15 lakhs for the new administrative arrangements to be made for the collection of revenue from the Zamindari villages This we consider a liberal estimate This would still leave the Government with an increase of Rs 84 lakhs per year in the total net receipts from these villages We have proposed in the case of Jagirdars a period of 12 years during which they would receive assistance from Government On the same analogy whatever compensation may be payable to the Zamindars may be paid out in 12 equal annual instalments If the excess sum of Rs 84 lakhs per year is utilised for this purpose then in a period of 12 years *the total sum* available to the Government for Zamindari abolition would amount to Rs 10 08 crores This is the sum which the Madhya Bharat Committee have estimated to be the cost of Zamindari abolition We suggest that the compensation payable to the Zamindars be divided into 12 equal annual instalments and paid out of the increased revenue of Rs 84 lakhs per year becoming available to the Government

14 The considerations which govern the acquisition of khudkasht by jagirdars apply in equal measure to the zamindars Zamindars should be allowed to acquire and retain khudkasht lands subject to assessment of land revenue in the same way as jagirdars

15 We were unable to obtain detailed information regarding the rental and assessment of the Zamindari areas in Rajasthan but we consider that the abolition of Zamindari there should also be carried out on the lines indicated for Madhya Bharat

16 We have excluded from our consideration the Ganganagar canal area of Bikaner None of our recommendations apply to that area It is open to the Rajasthan Government to undertake a separate enquiry and examine the position in the canal area We understand that special rights have been given to the colonists under certain definite conditions and we do not wish to disturb them without adequate information

For similar reasons we suggest that the Zamindari area in Kotah al o b[illegible] from our recommendations in this chapter

[CHAPT]ER XIII.—RECOMMENDATIONS RELATING TO LAND TENURES LAND RECORDS AND SETTLEMENT

With th abolition of the *jagir system the w[a]y will be open to the govern*[ments] of Madhya Bharat and R[a]ja[s]than to assimilate *the jagir villages fully with* [kha]lsa villages Similarly with the elimination of the zamindar the stage [is] reached wher the cultivator of the soil will be brought into direct relation [w]ith the government

We should like to make a few observations on the land tenure [s]ystem which [should] be set up after these changes have been effected We do not favour the [system] having a multiplicity of classes of ryots Different clas es of tenants with [diffe]rent rights came into existence in the pa t mainly b[e]cause of historical rea[so]ns [and bec]ause of the haphazard course which the reform of tenancy laws in diff[e]rent [provin]ces took The abolition of jagirdari and Zamindari in Madhya Bharat and [Rajast]han will give the governments an opportunity to evolve a simpl[e] and more [unifor]m system of land tenures We recommend that there should be recognised [only] one class of tenure which may be called pattedari kh[a]tedari or by any other [suitab]le name This will embrace all cultivators cultivating their holdings and [paying] revenue direct to government The jagirdar and the zamindar in his [khudk]asht will also have the same rights as the pattedari ryot This system will [resem]ble closely the ryotwari system of the Decc[a]n with however [c]ertain important [diffe]rences

3 In considering the status of the pattedari ryot [his] rights und[e]r three he[a]ds have to be examined namely—

(i) the right of inheritance

(b) the right to tra[n]sfer [h]is holding and

(c) the [ri]ght to sub let h[is] holding

[Ev]en though property in land has [n]ot been in the p[as]t recognised in India the [rig]ht of the male h[ei]rs of a cultivator to cont[i]nue to b[e in] [p]o[ssessi]on of his holding [aft]er his death and to cult[i]vate the land subject to the s[a]me liability to pay the [sh]are of the state has always been re[s]pected [R]ecent tenancy reform in North [I]ndia have al[so] ten[de]d to confer heritable rights on tenants at will The pattedari [t]enant [s]hould therefore have cle[a]rly [all] th[e]se rights Inher[i]tance [o]f th[e]se rights [ne]ed not and in fact should n[o]t follow the per[s]onal law of the ryot This again [i]s a principle wh[ich] has [be]en recognised in tenancy reforms in North India Agri[c]ultural holdings ha[v]e certain peculiarities wh[ic]h require that the laws of inherit[a]nce gov[e]rning them should be simple and not lead to too mu[c]h fragmentation of the holding [a]t each success[i]on The U P tenancy laws have therefore made [s]eparate provision for inh[e]ritance The Madhya Bharat tenancy act and the existing individual tenancy law in Rajasthan also make separate pro[vis]ion for inheritance of ryots holdings

4 Peasants in the ryotwari system of the Deccan enjoy full right of transf[e]r in resp[e]ct of their holdings Th[i]s question has been examined fully in the settle ments ma[d]e in the Indore State and other states in Malwa The system of tenure evol[v]ed there does not give unrestricted rights of tran[s]f[e]r to the ryots We are of the view that such unrestricted rights of tra[ns]f[e]r should not be conf[e]rred on pea[s]ants in Madhya Bharat or Rajasthan E[ve]n the repre[s]entatives of th[e] Kisan Sabhas wh[o] app[e]ared before the Committee expressed the view that it would be neces[s]ary in the intere[s]ts of the peasant him[s]elf to restrict his rights of trans[fer] If the right of tran[s]fer [is] given freely there [is] a danger of the land pa[ssing] [to the] money lending clas[s]es in periods of slump wh[e]n the peasant may be [in] [want]. There is also a danger of lands pa[ss]ing to the hands of speculative

that no intention of settlin in the land or developing it We would therefore suggest on the analogy of the system obtaining in Malwa that a peasant be allowed to transfer the whole or part of his holding only with the permission of the tehsildar or the collector Clear provisions should be made in the tenancy acts defining the conditions under which such applications for transfer will be granted Transfer may for example be permitted only to a bonafide agriculturist meaning by the term not a member of any particular caste tribe or class but a person genuinely intending to cultivate the land Transfer may also be permitted where the land is required for an expanding abadi or a town or for the establishment of a factory or other industrial premises

5 There are both in Rajasthan and in Mandhya Bharat certain small number of peasants who enjoy Pukhta Maurusi or Malkana Haq rights They possess at present unrestricted rights of transfer We consider that the same restrictions as apply to other tenants should apply to them also with respect to the right of transfer This has been done in the recent Madhya Bharat tenancy act

6 We would also recommend that provision be made in the tenancy acts laying down priorities according to which land which a peasant may seek to transfer or land which falls vacant or land which is lying fallow at the disposal of the government be leased to different persons The object of drawing up the priorities should be to help in the creation of more economic consolidated or optimum sized holdings When a tenant seeks to transfer his land or relinquishes his holding priority of allotment may be given to—

(a) his heirs if any

(b) his sub tenants if any

(c) peasants of neighbouring holdings who may desire to exchange expand and consolidate their holdings

(d) landless peasants living in the village and genuinely desirous of cultivating land and

(e) cultivators resident in the same village who have much less than a minimum holding

Such priorities have been drawn up in the Madhya Bharat tenancy act and we generally agree with the principle of those provisions of law

7 We also consider that severe restrictions should be placed on the peasant's right to sub let his holding If the right to sub let is freely given the pattedars may tend to form a new class of intermediaries which is undesirable A pattedar who does not desire to cultivate his land should relinquish or transfer holding but not indefinitely sub let his lands For this purpose we would suggest that a pattedar sub letting his land continuously for a period longer than three or five years should be deprived of his rights in the lands so sub let and rights will be transferred to the sub tenant There should also be a fixed interval of at least three years between two transactions of sub letting We would recommend that exception be made in favour of minors women physically incapacitated persons such as blind persons and lunatics to sub let their holdings for the period of the disability without the sub tenant acquiring any rights We would recommend strongly that peasants who enlist in the army should be allowed similarly to sub let their holdings for the period of their enlistment without the tenant acquiring any rights Sub tenants should also have protection with regard to the rent payable by them to the tenant in chief Sub tenants should therefore not be liable to pay a rent exceeding fifty per cent over the settlement rate

8 The Government of Rajasthan will during the next few years have to devote special attention to the organisation of the land revenue administration of the State In our opinion it is absolutely necessary that government patwaris should be appointed to all the villages and the records maintained by them sh

ered to be public records with the right given to every interested party
h a copy of an extract from the records at any time The
trained patwaris may be inadequate in the beginning There would be
ion to the employment of untrained patwaris in the earlier stages pro
e untrained men have experience of the work The necessary training
will have to be provided so that the needs of the state may be met from
ear not only now but in the future also

irvey and settlement operations should be carried out with energy and
ation in the vast areas of Rajasthan A target of ten years should be set
ompletion of settlement operations Without such settlement many of the
such as the demarcation of the khudkashts of jagirdars zamindars and
ller as lessees will be difficult to achieve

In many parts of Rajasthan again there is an insistent demand from the
for the fixation of cash rents It is only after settlement operations that
d village rates can be framed Some caution may be necessary in conver
grain rents to cash Grain rents may in some cases be more suitable than
some of the more precarious tracts of Rajasthan The fixing of cash rates
e parts may put the peasants in difficulties We think therefore that care
e taken to see that in such areas conversion of the rents to cash may only
de at the request of the peasant

CHAPTER XIV—CERTAIN INTERIM RECOMMENDATIONS RELATING [illegible] RAJASTHAN

1 We consider that pending the completion of the settlement operati[illegible] everywhere in Rajasthan it is essential to ensure to the tenant some protect[illegible] as an interim measure

The important benefits which survey and settlement secure to the tena[illegible] are —

(a) the lightening of the comparatively high incidence which present re[illegible] impose on him and

(b) the removal at any rate of some of the causes of frequent disputes a[illegible] friction between him and the landlord particularly in regard to t[illegible] division or appraisement of the crop

3 We recommend therefore that Government may lay down the maximu[illegible] share of the produce which a landholder may be allowed to demand as rent fro[illegible] his tenant We find that cash rents in khalsa and other settled villages hav[illegible] generally been assessed on the basis of one third and one fourth of the produce fo[illegible] unirrigated and irrigated lands respectively The Jodhpur and Jaipur Tenanc[illegible] Laws have already adopted this as the statutory maximum Statutory recogni[illegible]tion of this principle should be given throughout Rajasthan We understand tha[illegible] instances of grain rents in excess of this maximum are frequent The statutor[illegible] maximum so prescribed will to the extent the present rates may be in excess o[illegible] the maximum relieve the tenant of the extra burden which he would otherwise have to bear

4 As regards the recurring disputes between the landlord and the tenan[illegible] regarding the division or appraisement of the crop the tenancy laws of Rajastha[illegible] should provide a machinery or procedure whereby such disputes can be summaril[illegible] settled We suggest that the authority in this respect should be vested in th[illegible] Tehsildar who should be fully competent to take cognizance of such disputes on a[illegible] application by either party and dispose it off summarily on the spot

5 We also commend to the consideration of the Rajasthan Government [illegible] somewhat simplified and summary process of survey and settlement which may b[illegible] adopted for the purpose of evolving provisional cash rents till the settlement opera[illegible]tions are completed It has been suggested to us that flat rates both for wet an[illegible] dry lands for groups of villages more or less homogeneous could be evolved eithe[illegible] in terms of local bighas or with reference to the number of ploughs actually used by tenants We further understand that summary cash rent by this method can be worked out for the whole of the unsettled areas of Rajasthan in about two years time We consider that there is considerable merit in this suggestion It can at any rate be adopted to advantage in respect of the vast sandy and compara[illegible]tively poorer regions in Bikaner Jodhpur and Jaisalmer It may also be adopted in areas where the relations between the Jagirdars and the tenants may be strained or where the incidence of the present grain rents may demonstrably appear to be unduly high

6 Having regard to the fact that vast non khalsa areas have yet to be inte[illegible]grated with the khalsa areas in Rajasthan we make the following further recom[illegible]mendations during the interim period —

(i) The Rajasthan Government should appoint Patwaris in jagir areas as early as this can be done There is an urgent need to maintain governmental agency in Jagir villages as none exists at present The task of maintaining record of rights and preparation of agricul[illegible]tural statistics is a matter of immediate necessity There are about 3 400 patwaris in the khalsa villages of Rajasthan We underst[illegible] that on the existing khalsa basis about 6000 patwaris will

required for the jagir areas It will not be an easy task to find this number immediately Special measures will have to be taken for the training of the required number of patwaris We expect that this matter will receive the earnest consideration of the Raja than Government Wherever jagirdars employees if qualified or properly trained are available they may also be employed

Ejectment of tenants in jagir areas on any ground should be prohibited except under prescribed conditions

The Government of Rajasthan must arm themselves with authority to intervene in order to let out lands for cultivation wherever it is found that the jagirdar is unreasonably refusing to let out unoccupied land for cultivation if there is a demand for it

The jagirdar should forthwith be prohibited from selling or leasing out new land for residential purposes except with the permission of government This permission will be contingent on the condition that the land is required for bonafide purpose of meeting the growing needs of the abadi This restriction is obviously called for if the jagirdars are to be prevented from capitalising their unoccupied land by means of such alienation detrimental to the potential interests of the State

In taking over the estates of the principal assignees priority may be given to areas where agrarian situation has deteriorated owing to acute tension between the jagirdars and the tenants

CHAPTER XV—SUMMARY OF RECOMMENDATIONS AND CONCLUSIONS

1 The Committee's main conclusions and recommendations are summarised below —

(i) The jagirdari system should be abolished and the collection of revenue from the jagir villages should be taken over direct by government

(ii) For purposes of abolition jagirs should be divided into those comprising one or more entire villages and those consisting of scattered plots or holdings

(iii) Jagirdari rights are not property rights entitling jagirdars to compensation Jagirdars of entire villages should however be given rehabilitation assistance according to the scale given in paragraph 30 Chapter XI

(iv) Basic annual sum for a jagir to be determined in accordance with paragraphs 6 and 27 of Chapter XI

(v) Jagirdars muafidars etc of holdings and plots should be allowed to enjoy the full income of their present jagirs for a period of 1– years

(vi) Tenants of assignees in (v) above should be given protection against ejectment and should have fair rents fixed as soon as settlement operations are possible

(vii) Jagirdars should be allowed khudkasht consisting of their present khudkasht plus such area as may be acquired later subject to a reasonable maximum to be determined for each area and subject to the condition that no khudkasht shall be acquired by dispossessing any peasant of his land (Chapter XI para 11)

(viii) A statutory Religious and Charitable Endowments Board should be set up to which government should pay an amount equal to the income derived from endowment assignments at present This board should take over the management of all temple and institution which depend on these endowments for their upkeep For the rest endowment assignments may be treated in the same manner as other jagirs

(ix) Zamindari rights should be extinguished

(x) The Ganganagar Canal area in Bikaner and certain zamindari tracts in Kotah are excluded from the recommendation in (ix) above

(xi) Zamindari rights are not full property rights but zamindars should also be given rehabilitation assistance according to the table given in Chapter XII

(xii) No drive should be made for the collection of a zamindari abolition fund from the tenants

(xiii) Zamindari abolition should be financed from the extra revenue derived by government by collecting full rents from the tenants

(xiv) Ryots throughout should be placed in the same category and given uniform rights

(xv) Ryots should have heritable rights but their rights to transfer should be subject to restrictions

(xvi) Inheritance of peasants should not be according to personal law but according to a simpler system to be laid down in the tenancy acts

(xvii) In transfers of ryots holdings and in the grant of new leases by government due regard should be paid to the necessity of creating economic and optimum holdings and to consolidate existing holdings

(xviii) The ryot's rights to sub let his land should be severely restricted Exception should be made only in the case of minors women the physically disabled and enlisted soldiers

(xix) The rents payable by sub tenants should not exceed 50 per cent over the settlement rates

(xx) Government patwaris should be appointed to all villages including jagir villages and the records maintained by them should be public records

(xxi) Survey and settlement of the unsurveyed areas in Madhya Bharat and Rajasthan should be undertaken and completed within ten years

(xxii) When settlement rates are evolved tenants paying rent and revenue in kind should be given the option to convert to cash in certain precarious tracts

(xxiii) Interim arrangements in Rajasthan pending the completion of settlement include—

(a) Maximum rent payable by a tenant should not exceed in the case of irrigated land one fourth and in the case of any other land one third of the *crop of such land*

(b) Provisional cash rents may be evolved pending assessment of cash rents by settlement officers

(c) Rajasthan tenancy laws should provide a simple machinery for the settlement of disputes arising out of the division of crops

(d) Ejectment should be prohibited except under prescribed conditions

( ) Government should intervene when it is found that the jagirdar is unreasonably refusing to let out unoccupied land for cultivation

(f) Jagirdars should forthwith be prohibited from selling or leasing out new lands for residential purposes except with the permission of Government

(g) Priority to be given for taking over those jagirs where there is serious agrarian discontent

We desire before concluding our report to express our gratitude to the [Gover]nment of Madhya Bharat and Rajasthan for the assistance given and the [facilit]ies afforded in the work of the Committee They also placed at our disposal [the s]ervices of their Jagir Commissioners who in addition to their duties have [act]ed as Secretaries to our Committee

The Chairman wishes to express his appreciation of the work of Mr M P C[...] in the preparation of the report

Sd C S VENKATACHAR *Chairman*
Sd GOKULBHAI BHATT
Sd SITA RAM S JAJOO
Sd BRIJCHAND SHARMA
Sd V VISHWANATHAN
} Members

[Sd] SHIV SHANKAR GAUR
Sd JASWANTRAJ MEHTA
} Secretaries

New Delhi
15th *December* 1949

APPENDIX A

No 4 (61) P/49

GOVERNMENT OF INDIA

MINISTRY OF STATES

Dated New Delhi the 20th August 194

Resolution

The Government of Rajasthan and Madhya Bharat Unions have had for son time under their consideration the question of reforming the land revenue syste in these Unions with a view to bring about direct relation hip between the Stat and the tillers of the soil The Government of India have at the request of the two Governments decided to appoint a fact finding committee to assist them i settling this question in a satisfactory manner

2 The Government of India have accordingly decided to constitute a com mittee consisting of—

(i) Shri C S Venkatachar *Chairman*
(ii) Shri Gokulbhai Bhatt } for Rajasthan Union
(iii) Shri Brijchand Sharma } for Rajasthan Union
(iv) Shri V Vishwanathan } for Rajasthan Union
(v) Shri V S Sirwate for Madhya Bharat Union

to study the existing land tenure systems in Madhya Bharat and Rajasthan Unions and to make suitable recommendations

3 The terms of reference of the Committee are —

To examine and report upon

(1) the existing structure and the working of the Jagirdari system in the United States of Madhya Bharat/Rajasthan

(2) the state of land revenue administration including survey ettlement maintenance of village records in areas under the Jagirdari ystem in Madhya Bharat/Rajasthan

(3) the existence of tenancy legislations if any the regulation of relations between the landholder and the tenant the mode of reali ation of rent the status of the tenant and security of tenure

(4) the need and desirability of redetermining in the light of present day conditions the requirements of modern administration in general and in particular the need for improving agrarian condition the res pective hares of the state and the Jagirdar in the assets of the Jagir

(5) the desirability of extinguishing all differences between the Khal a (or non jagir) and jagir areas so that a uniform revenue and land tenure system may be established throughout the United State of Madhya Bharat/Rajasthan the manner in which it should be brought ab ut and the administrative organi ation necessary therefor

(6) any other constituent and/or cognate matters which the committee may onsider as arising out of the foregoing terms of reference

4 The Committee will complete its work and submit its report to the Govern ment of India by the end of October 1949

M K VELLODI

Secretary to the Government of

APPENDIX B

[Questio]nnaire issued by the Rajasthan/Madhya Bharat Jagir Enquiry Committee

I

[W]hat are your views on the origin growth and the working of the Jagirdari

[W]ould you make any distinction in the treatment of the various classes of [Jagirs (Feu]dal including service grants maintenance Bhomichara and Charitable) [on account] of the difference in their origin or the purpose for which they were brought [into be]ing?

Would you likewise make any distinction on the ground of their size or

[The]re are two elements in the conglomeration of the rights of a Jagirdar [One of] them is his tenure as a landholder the other is comprised in the special [rights] or privileges exercised by him with official authority or by prescription [Should] these rights in your view be continued modified or extinguished?

(5) What are your views on the ultimate abolition of the Jagirdari system?

(6) With respect to 4 and 5 above—

(a) are you in favour of carrying out the changes by stages?

(b) would you recommend any definite period of years?

(c) what concrete schemes would you suggest for giving effect to the modification or extinction of rights or the abolition of Jagirdari?

II

(7) What tenancy rights would you like to secure to the tenants (and sub-tenants) in Jagir areas on a par with tenants in Khalsa?

(8) How many classes of tenants should in your opinion be recognised in the United State of Rajasthan/Madhya Bharat?

(9) What in your view are the particular safeguards to be provided in the tenancy legislation for securing social and economic justice to the tenants in consonance with modern conceptions?

III

(10) What are the defects in the present mode of realisation of rent in Jagir areas and what remedies do you suggest to rectify these defects in areas where rents are realised (a) in cash and (b) in kind?

(11) What in your opinion should be the agency for the collection of rent in Jagir areas?

(12) What in your view should be the agency for the maintenance of record of right and in particular the preparation of the Matalba?

(13) What are your views regarding the levy and realisation of cesses wherever they are in vogue?

IV

(14) What interim relief if any should in your opinion be granted to tenants in Jagir areas pending [settle]ment?

(15) What percentage of his as ets hould a Jagirdar contribute to the State and on what basis ? Do you favour a sliding scale for the purpose ?

(16) In your opinion will any class or classe of Jagir or Jagirdars require exemption or favourable treatment ?

V

(17) In addition to the administrative machinery of Government can you suggest any machinery for the purpose of ensuring the speedy and equitable settlement of disputes between a landholder and his tenants ?

(18) What is your view in regard to the continuance or otherwise and regu lation of different fiscal rights (such as excise customs mineral quarries etc) or powers at present exercised or enjoyed by the Jagirdars ?

(19) How much land (irrigated or unirrigated or both) should be allowed to a Jagirdar or landholder as his Khudkashta ? What proportion should it bear to the total area in his Jagir ? And what should be the maximum to be allowed ? To what extent should the Government help the Jagirdar in the matter of appropria tion of his Khudka hta land ?

(0) For the purposes of this enquiry would you treat Zamindari or Biswedari wherever this is to be found in the United Stat of Rajasthan/Madhya Bharat on the same lines as Jagirdari ? If not how do you propose to deal with them ?

N B —Jagir includes all its variants

Statement showing the details of area and villages under the various stages of

United State of Rajasthan

Sc l l N	N m f Di l l	T t l Vill g	Ar in q m l	Kh l Vill g	A	J g r Vill g	A	T t l Vill g	A	S	y d	Att t d	Cl l fi d	R t posed	d	F l g R f d	T t l Vill g	A
1	2	3	4	5	6	7	8	9	10	11	1	13	14	15	16	17	18	19
1	Udalpu	8938	18036	94	5614	750	4 36	5044	10350	1030		509	1361			990	014	4696
2	J ipur	112 6	4951	6183	11075	199	683	83 2	1 91	1155	11 0	067	1043	33		4568	037	4 3
3	Bikaner	3368	3317	1804	8317	03	1061	007	0378	370	7316		1645			11931	13	103
4	J dhp	4936	50901	8 7	5198	8	6 1	90	5849	569	11	3816	895			91	6 4	3 8 1
5	K t h	49 0	9941	3 50	6596	224	490	34 4	086	601			179			0	1046	0 5
	G l T tal	33418	127 36	143 8	36800	5454	13 73	1 912	505 3	77 5	8997	5382	51 3	33		460	6756	40 03

APPENDIX D

Statement showing the rights of tenants in the various units in Rajasthan both Khalsa and Jagir

JAIPUR

Clas of tenants	Inher tance	Transf r	T	Subletting	Rights to mak i np ov ment
Khalsa—					
Pattedar (tl o who hav p ld a prem im fo th land)	Full rights	Full right	F ll rights	Full rights	F ll right
Khat dar	Ditto	R ght f m rtgag f 10 y a	F domestic or ag i ult ral use only	Fo 5 yea	F ll r ghts
Ga Kl ateda	D tto	No rights	No ight	For on ye r only	No right
Sub tenant	No	No	No	No	No

J o Sam n Kh lsa

In Kot h m nd Kot Putli th re is a class f landhold rs known a B wedars and th oc p n y tenants un l r tl e landhold rs (called Mot rus Kasl t kars) ha e full rights of inheritance t ansf r f trees imp ov m nts n l s ib letting j st like Patte l rs Tl r ght i *however re trict l to tl o e who were recorde l* the occ pancy t n nts at th last revision of settlement

BIKANER

Cla of tenant	Inheritable	T an f r	Sub lett g	Trees	Improvement
Kh l a					
(1) O cupan y tenants	H it bl	N t transf r ble v ith out	Can sul let f r	No pecif c	M y mak ny

r otl r t n ... f Sai d by tl g nt f o p n y r ghts hav b n sold)					
H t p y premium 16 time th r nt					
In B w d n (T nant w th 0 y a posse n wh h l ready been adm tt d t oc p n y)	H t bl	Tr nsfer ble subject t th ght of p e mp t on of th land hold r and th r per ns ac d ng to P e m pt on A t	Can s b l t f sev n yea	D tto	Full r gh t
( ) Kh t d t—					
A t n nt wh has th ght f ult t on nd cont f n o s p a n wh h h a d h nc t l v cl d and b ught ind cult v t n as lo ig s he regu la ly pay rent	D tt	N t t an f bl	C n ub let fo fi e y ars	D tto P obably h s no r ght	P es m ll, no right
) Lessees—					
A tenant h l l g f fi d term un le al se d ree r rder of c mpetant th ty	Go r d by the te m f th le				
4) Re l ary ten nts—					No r ghts
Te ants n t n lude l n ny f the bov classes	P t lly t nant t will				
J gir					
r Jagir reas there are no o cup ncy r ghts					

Clas f Tonants	Inher tanc	T n f	Sub l tting	Trees	Impr em nt
JODHPUR					
Kh lsa					
Bap dar (who ha a B pi Patta and has pa d premium)	Full	C t an f p rm n ntly but n t t m po a ly x ept by \ay of l a	Can ub let fo tl y s with three y s nte val	Fo dom st lti al p pos	Agri I ll gl ts
Ga r B p d r					
Jagi					
Khated r (ev ry pe n wh at th commencement of tl e Act was a tenant is a Khateda r tenant)	Full	N t ansfe	Cannot ub l t	No gl ts	Presumably no rigl ts
G ir Khatedar	Full	T n f r to C t n nt r th n arest h r	Fo 3 year or with 3 y ars nt rval	F d me t ultur l purpose g	Full r gl ts except bu ldings or tents
JAISALMERF (No statuto y p ov s n)					
Kastakar	H tabl acco d ng to personal law	Can t ansf h s gl t w th the s n t n of the Hakim	Can s b let w tl out restrict on	No ght	C n dig s w ll on payment of Rs 101 Nazrana and has tl ght of fir t \ atering only
UDAIPUR					
Khalsa					
Kha l mdar or Bap dar	Full a co d ng to pe n l l w	Full r ght	F ll gl ts	Full r gl ts	To on truct \ ll water l an l r otl r rks fo l st il t ti n of wat n l Kut l a bu ld ng
—	Nil				

M t k l s kml (12 years contin i p ses s on)	F ll	N l	Ca not s blet	Right ... by himself only	
Sh km (Tenant) t w ll h ng l st a l ye rs po e s on	N l	N l	D tt	No r gl t	N r gl t
Jag			As Kl alsa		
Kl d md B p l Mu t k l S km S km Pl Kl t d	F ll	Mo tg ge o ly	F ll	Full	F ll

Kh t lars wer B p la g ally b t ub q ntly l g d r t ted th gl t l ntrod ed tl ter n khat d s To br ng jaa r l th kl l kl t l h l l bed l d B p l r

KOTAH

Khalsa l t d r	Full	F ll	F ll	F llr ght (t n espe t of Jhamun nd Mol u a and Mangoe grown be f e 19 7 A D	F ll

(Kl at l ne wh ha been te l s a l h t l in the S ttlen nt Rec d or b q ntly e te ed a Khat d by tl or l f a compet n t or tr f)

J g r Only on l l th n l h l d Ja r

Cl ss of t t	Inheritan e	T ansfe	Subl t	Trees	Imp ovement
PARTABGARH					
Khalsa					
Kh t dar (who has pa d Nazrana)	Full	F ll	Full	F ll	Full
Kashtkar } One who has n t Kabil } paid N Khata }	ight f h r tan acco d ng to pe al aw	Cann t t an f th t th an tion of th M hakma Kh s R v D ptt	C n bl t	N gl t to it t ee	F ll r ght
Istamrardars	F ll	N ghts	No r ghts	N gl ts	
J g					
Kasht kar Jag r l r M afid	o	All t nants t will and no gl t cept l Sanad or pe f g eem t w th th j g l			Full right
BANSWARA					
Kh l a					
B p d r (wh has p d one ye rent s N zrana)	Herit bl	T ansf r ble	Can s bl t	F ll rights to t ees	F ll rights to mp o ment
Khatedar (who h s p d no Na ana)	Nil	No sal bt t can m rt g g	D tto	No pec f p vis on but p esumably has gl ts o trees with the ex ept on of M huda nd c rta n other trees wh l bel ng to th State	D tto
Jag	Pres mably as abo e				
DUNGARPUR					
Only one cl ss known as Asam	Heritable a ord ng to l w	N sale b t r ght of mortg ge for 10 ye rs	Can sublet	No spec fic pro on about trees	F ll r ghts of improv n ent
SHAHPURA					
Kh ted r	S m right of Asam n Dung rp r				

No d ff ren e in j gir and kh l a e ther in D ng rpu o Shahpu a

KISHANGARH

d r (a an)	wl l s l d Hrt ble l r on l law	d g to (t tr f Land Al nat n Act s hjo t	C n sull t	\ l t lar l a n tle tree ac rd ng to the p r ns of th Patta	Full ri m nts
	D tt	N t tr n f al le	D tt	No r gl t of tre	No mpr em nt w th t th anct on of tle St te
B r d	S m n kl ls nd j g r				

BUNDI

Kh t d r	H t l le	T f l le tl th nt n f the R t m M niste	M y ublet f r tl y w th the y s nterval	F ll right to t s	F ll rigl t of impro e ment
	N t h t l le	\ t t n f bl	(u ot ll t	No r gl t to t e	N r gl ts to prov m nt
Jota	D tto	D tto	D tt	No r ghts	D tt
ry pers n wl l l glt d plougl ny l nd l ed s h nj d ng th c r ent S ttlen t or who h qu r d tl e ghts f Kl ted r le l rs f th D rt w tl o w tho t p ymc t f N n whol been o f rr d th tat i of Kl at lar l y Jag lar r M afd r s r)	S m kh ls n l jag r				

TONK

la	He t bl	Tr nsf bl	C n ll t	Full ghts exc pt f r protected t ee	F ll r ght of mpro ment
r M n t w th l y rs poss ss n)	D tt	N r ght	No ghts	No r ghts	No r ght
Same m khal a and j g					

Cla s of t nants	Inher t n e	T nsf	Subl t	Trees	Improv m nts
		JHALAW AR			
	Kh t d r	(As n Kotal)			
		KARAULI			
1 B nd b t Kh t l lder	H t bl	R ght f le o n rt g g ubject t er t in tr ct n	Can subl t	N sp fi p n	F ll gl t of mp ve ments
N t r Kl t l	D tto	Transf bl by ex chang not by le	C nnot ubl t	N l	N l
		P e um bly th sam n Kl lsa and j g r			
		BHARATPUR (Zamind ra y t m)			
1 Occ p n y te it	H tabl	Not t n f rabl	M y subl t f any pe d n t x ed ng the t rm of S ttle ment	R ght a co ding to V j bul A	Full r gl t f prove m nt
F ed t n ten nt	R gl ts go rn d by agre ment				
3 N n oc pan y t nt	All ther t ant are n n c pancy t nant		Tl y a tenants at w ll		N r gl ts
		No J g rd			
	ALWAR—B swedari wl h the same as Z mindar p e l				
A n Bl tpur with th s ex pt n th t an		pancy ten nt n t n fe w th the	itt n permiss n f th B wed		
		DHOLPUR (Z m nd ri)			
B n l ba ti Kl tedar	He t bl	N t transferabl ept to a o harer	M y ubl t for o y rs	No pec fi p o on	May n k ny n pro ments x pt th t l may n t plant t ees c pt w th tl e perm ss on of the Zam n l r
N t l l ted	H t Ile	N t t n f ble	M y blet fo l y r	D tto	M y m ke any mp m nt w th tl consent of tl e Z m n lar
		S me n kh lsa nd jag r			

APPENDIX E

(1) *Jaipur State Grants Lands Tenures Act 1947*

KHUDKASHT

2 (1) Khudkasht means—

(*a*) land which was being cultivated at the commencement of this Act or may be cultivated at any time thereafter by an estate holder as such either himself or by his servant or by hired labour or

(*b*) land which was declared prior to the commencement of this Act or may hereafter on application or otherwise be declared by the Government in accordance with the provisions contained in the First Schedule to this Act as khudkasht of an estate holder

(2) Khudkasht right means the special rights created by the provision of this ...ter

---

The First Schedule

1 When any land is required for the *bona fide* personal cultivation of the estate ...ler and his co sharers Government may declare the land so required as khudkasht

2 The area to be declared as Khudkasht shall be determined with due regard ...the following matters —

(*a*) The total area of the estate in all the villages in which it holds any land including the proportionate area held in Shamlat khewats but excluding the area of sub grants other than those made for life

(*b*) The area held by the estate holder as khudkasht under clause (*a*) of section (1) of section 15

(*c*) The number of adult co sharers of the estate holder if any who require land for their personal cultivation

(*d*) Whether the estate holder is in a position to engage himself in cultivation

3 When the area to be declared as khudkasht has been determined under rule ...it shall be appropriated out of the following categories of land in the order in which ...hey are mentioned —

(*a*) land held as khudkasht under clause (*a*) of sub section (1) of section 15

(*b*) culturable waste other than land reserved for grazing

(*c*) land which is sub let by a person other than a pattedar tenant or a disabled person belonging to any of the classes mentioned in section 2 of the Jaipur Tenancy Act 1945

(*d*) land held by non agriculturists

(*e*) land held by a ghair khatedar tenant who is an agriculturist

(*f*) land which forms the jao of a masonry well constructed by the estate holder at his own expense whether such land is held by a khatedar or ghair khatedar tenant

(*g*) land held by other khatedar tenants of less than twelve years standing

4 The area declared and demarcated as khudkasht in accordance with t... provisions shall not be liable to be increased on the ground of any i... number of co sharers of the estate holder

(ii) *Marwar Tenancy Act 1949*

SIR LAND

Section 6—(1) Sir means —

(a) such land as at the commencement of this Act is being cultivated by the landlord

(b) such land to which clause (a) does not apply but which was cultivated by the landlord for not less than seven years during the ten years immediately preceding the commencement of this Act

(c) such land as has been continuously cultivated by the landlord for a period of not less than six years at any time after the commencement of this Act and as has on the application of the landlord been declared and demarcated as the applicant s Sir by the Deputy Commissioner

Provided that the area of Sir which may be acquired by a landlord in a village under clause (c) when added to the area which is his Sir under clauses (a) and (b) shall not exceed in the aggregate the following scale —

(i) If the cultivated area in the village owned by the landlord is not more than 600 bighas of irrigated land or 1 800 bighas of un irrigated land	20 per cent of such area
(ii) If such area is more than 600 bighas of irrigated land or 1 800 bighas of unirrigated land but not more than 1 200 bighas of irrigated land or 3 600 bighas of unirrigated land—	
(a) for the area mentioned in (i)	As above
(b) for the excess over this area	15 per cent
(iii) If such area is more than 1 200 bighas of irrigated land or 3 600 bighas of unirrigated land but not more than 2 500 bighas of irrigated or 7 500 bighas of unirrigated land—	
(a) for the area mentioned in (i) and (ii)	As above
(b) for the excess over this area	10 per cent
(iv) If such area is more than 15 000 bighas of irrigated land or 45 000 bighas of unirrigated land—	
(a) for the area mentioned in (i) (ii) and (iii)	as above
(b) for the excess over this area	5 per cent

Explanation —Land allowed to lie fallow according to usual agricultural practice or which is not cultivated owing to famine or similar natural calamity shall be deemed to be cultivated

(2) The restriction imposed by the proviso to sub section (1) shall not apply where the area of Sir to be acquired by a landlord under clause (c) when added to the area which is his Sir under clauses (a) and (b) does not exceed the following limits namely—

(i) 150 bighas of unirrigated land or

(ii) 50 bighas of irrigated land

(a) A landlord who at the commencement of this Act is in the military air servi e of India or in the military service of Marwar may within one year ate of such commencement apply to the As istant Commissioner in charge b division in which his land is situated that the land sp cified in the applica declared to be Sir land

The Assistant Commissioner may declare the land specified in the applica der clause (a) to be Sir land

rovided that the area of land which may be declared as Sir under this clau e added to the area of any other Sir land of the applicant shall not exceed in the gate—

(i) 150 bighas of unirrigated land or

(ii) 50 bighas of irrigated land

1		3	4		

ALIRAJPUR KATHIWARA AND MATHWAR

NOTE —These th State are s ttled nd tl re a no r le and regulat ons pr valent
R nt s realised on outband (H lwari) y tem

NARSINGARH

1		3	4		
1 Khat d r	Y	N	Cannot ut tr s with out pe m s n but an sell the fru ts	Yes	No
Shikmi	No	N	No	No	No
NOTE —Same n Khal and J g					

RATLAM

1		3	4		
Kh lsa					
1 Patt d r	Y s	N	Pr s ttlement and ttlem nt ult va t rs have full right Tenant afte ettl ment have no ights	Y	Y
I tamarardar	Y s	Y	D tto	Yes	Yes
3 Ryot M gh yan	Ye	No	D tt	Y	Yes
4 Sub tenants	No	No	No	No	No
J g r					
1 Mouru i Khatedar	Y	Ye	No	Y s	Yes
Sub tenants	No	No	No	No	No

JAORA

1		3	4		
1 Mamuli Khatedar	Yes	Has no ght	Pr settl ment and ttlem nt ult a tor have full ghts Tenants afto s ttlement h ve no rights	Y s	Y

Yes
Yes
No

	Ye	No		Yes	Y s
Ry ti Patted	Y		D tt		
3 Ry ti I h teda (K y id Pawedar)		No		Yes	Yes
4 Ryot I l t dar according to Mogh y n A t	Y	Yes	N	No	No
5 Istamrard r	Ye	No	N		
6 Sh km	No				

NOTE—In Jag r llag N and 4 typ of t n nt the s have am r gl ts as n Khalsa

DEWAS SENIOR AND JUNIOR

Patt d Khedu					
1 Malkana	Y	Can t an f Kh ta r fil w th th per m s n f C urt n p ym nt of equ a l nt t o 3 ye rs r nt Th ten nt g n the ght of malkana and he has no right to sell or mortgage	Cannot ll f t t ees b t can cut them f i m t c a d gr cult ral p rpose with perm i n	Can b let f r 1 year w th t perm i n If t nts to sub l t for mo e tl n 1 y r h l as to reg ter the Patta for 5 years	Yes
Ryot	Yes	In S m r Dewas a ten nt has right to hange h fi ld but cann t sell o mortg ge In J nior Dewas h has th right to sell o mortg ge on p y ment of 1 year r nt as Nazrana.			
3 Kh t d	Y	S me right s P tte d Khed			
4 (l Pattedar	Y	N right	N	No	No
	No	No			

in Khalsa an l J g r

1		3	4		6
			SAILANA		
1 Ord nary Khat d r	Yes	N	As n Ratlam	No	N
Mourus Kl atedar 3 Istam a dar 4 Ry ti M gh y n 5 S b t nant		As n Ratl m			
			I HII CHIPUR		
1 Khateda	Y s	No	C n cut t w th p rm n	Y	Y s
Shikm	No	No	N	No	No
MOTE —Same s Khalsa and Jagir					
			SITAMAU		
1 *Patted r Mam l*	Y s	With perm si n	W th p mi on	With perm ss o	W th p rmi on
Ist mrard r	Y s	Y s	Y	Yes	Y s
3 Patt dar Ry ti	Ye	Ye	Y s	Y	Y s
4 Ryoti Mughl a	Ye	Y s	Y	Ye	Ye
5 Ryot *Mogh y n*	Y s	Y s	Yes	Y s	Y
6 Sh kmi	N	N	No	No	N
NOTE —In Jag r v ll ges there a e types of tenant namely P tt d r M mul and Sh km as in Khal a					
			KURWAI & PATHARI		
1 Pattedar	Y s	Yes	Yes	Yes	Y
Khatedar	No	No	No	Yes	Y s
3 Ga r Kh teda	No	No	No	Yes	Yes
4 Shikmi	N	No	No	Y s	No
NOTE —Th s r ght g en in ase f payment of Na ran same n Ja and Khal					
			JOBAT		
			Sam n JHABUA		

APPENDIX G

Statement showing classified numbers of Jagirs graded according to their incomes
United States of Gwalior Indore and Malwa (Madhya Bharat)

Serial No	Graded income of Jagirs	Number of Jagirs	Remarks
I	Upt R 00	177	
II	Abov Rs 500 and upto R 1 000	2	
III	Above Rs 1 000 nd upt Rs 2 000	270	
IV	Ab v Rs 000 nd upto R 3 000	160	
V	Above Rs 3 000 d upto R 4 00	105	
VI	Ab v Rs 4 000 nd upt R 5 000	71	
VII	Ab ve R 5 000 nd upto Rs 10 000	163	
VIII	Above Rs 10 000 and upto R 15 000	67	
IX	Ab ve Rs 15 000 and upto R 0 000	6	
X	Above R 0 000 and upto Rs 5 000	18	
XI	Abo Rs 25 000 nd upto Rs 30 000	11	
XII	Abov Rs 30 000 and upto Rs 40 000	9	
XIII	Above R 40 000 and upto R 0 000	6	
XIV	Above Rs 0 000 and pt Rs 60 000	5	
	Above Rs 60 000 and upto Rs 70 000	7	
XVI	Abo R 70 000 and upt Rs 80 000	3	
XVII	Above R 80 000 and upt Rs 1 00 000	3	
XVIII	Above Rs 1 00 000 and upt Rs 1 50 000	4	
XIX	Above Rs 1 50 000 nd upt Rs 00 000	1	
XX	Above Rs 00 000 nd upto R 3 00 000	1	
XXI	Abov Rs 3 00 000	1	
	Total	1 3 9	

D—M—198 M of States—24 3 0—60)